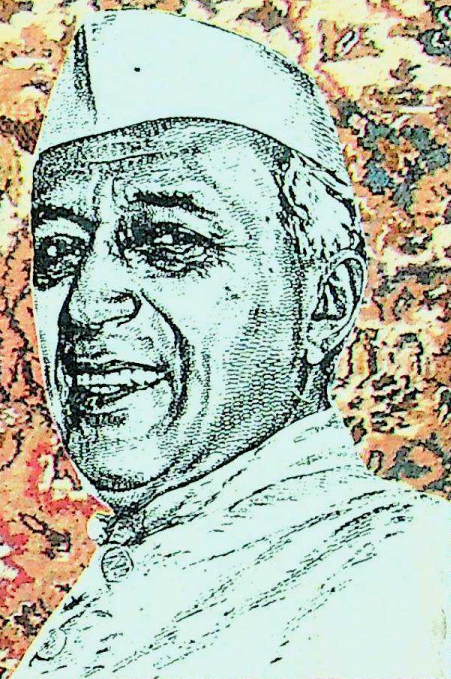


ENCYCLOPAEDIA OF KASHMIR SERIES  
Gandhi Memorial College Of Education Bantala, Jammu



# NEHRU AND KASHMIR

Editors  
**Suresh K Sharma • S R Bakshi**



The volume—*Nehru and Kashmir* presents, for the first time, a detailed account of the numerous correspondence, speeches and interviews, etc. Jawaharlal Nehru had during his life-time concerning multi-dimensional aspects of Kashmir. It is hoped that this volume will meet a long-felt need of the researchers.

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## NEHRU AND KASHMIR







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# Nehru and Kashmir

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## Preface

The picturesque valley of Kashmir situated on the northern extremity of India, occupies a position of unique and strategic importance in the sub-continent of India. It excels in beauty, art, architecture, culture and tradition, rivers, mountains, flora and fauna than several regions of the world. So far so, some eminent writers have compared this Himalayan range with that of Switzerland. Whereas, Kashmir bore the pangs of various onslaughts from North-West, Switzerland enjoyed peaceful postures for centuries.

The present volume *Nehru and Kashmir* presents a complete historical narration of several phases having deep bearing on the society of Kashmir. The theme also shows how several eminent leaders gave vent to their feelings regarding the political status and sovereignty of the Kashmir State.

We have collected the material from several libraries and some of them are—Nehru Memorial Museum and Library, Indian Council of World Affairs Library, Gandhi National Museum and Library, Indian Council of Historical Research Library, University of Delhi Library, etc.

We feel much beholden to the authorities of these institutions for their academic support during our researches.

Finally, we owe a deep sense of admiration for Usha Sharma, Jyotsna Tewari, Gagan, Shilpa and Naresh with regard to their constant help provided in many ways.

*Editors*

**Suresh K. Sharma**  
**S.R. Bakshi**







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## CHAPTER 1

# *DESCENT FROM KASHMIR*

**//**It is a hard and nice subject for a man to write of himself : it grates his own heart to say anything of disparagement, and the reader's ears to hear anything of praise for him."

—Abraham Cowley.

An only son of prosperous parents is apt to be spoilt, especially so in India. And when that son happens to have been an only child for the first eleven years of his existence there is little hope for him to escape this spoiling. My two sisters are very much younger than I am, and between each two of us there is a long stretch of years. And so I grew up and spent my early years as a somewhat lonely child with no companions of my age. I did not even have the companionship of children at school for I was not sent to any kindergarten or primary school. Governesses or private tutors were supposed to be in charge of my education.

Our house itself was far from being a lonely place, for it sheltered a large family of cousins and near relations, after the manner of Hindu families. But all my cousins were much older than I was and were students at the high school or the university and considered me far too young for their work or their play. And so in the midst of that big family I felt rather lonely and was left a great deal to my own fancies and solitary games.

We were Kashmiris. Over two hundred years ago, early in the eighteenth century, our ancestor came down from that mountain valley to seek fame and fortune in the rich plains



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below. Those were the days of the decline of the Moghal Empire after the death of Aurungzeb, and Farrukhsiar was the Emperor. Raj Kaul was the name of that ancestor of ours and he had gained eminence as a Sanskrit and Persian scholar in Kashmir. He attracted the notice of Farrukhsiar during the latter's visit to Kashmir, and, probably at the Emperor's instance, the family migrated to Delhi, the imperial capital, about the year 1716. A jagir with a house situated on the banks of a canal had been granted to Raj Kaul, and, from the fact of this residence, 'Nehru' (from nahar, a canal) came to be attached to his name. Kaul had been the family name; this changed to Kaul-Nehru; and, in later years, Kaul dropped out and we became simply Nehrus.

The family experienced many vicissitudes of fortune during the unsettled times that followed and the jagir dwindled and vanished away. My great grandfather, Lakshmi Narayan Nehru, became the first Vakil of the 'Sarkar Company' at the shadow court of the Emperor of Delhi. My grandfather, Ganga Dhar Nehru, was Kotwal of Delhi for some time before the great Revolt of 1857. He died at the early age of 34 in 1861.

The Revolt of 1857 put an end to our family's connection with Delhi, and all our old family papers and documents were destroyed in the course of it. The family, having lost nearly all it possessed, joined the numerous fugitives who were leaving the old imperial city and went to Agra. My father was not born then but my two uncles were already young men and possessed some knowledge of English. This knowledge saved the younger of the two uncles, as well as some other members of the family, from a sudden and ignominious end. He was journeying from Delhi with some family members, among whom was his young sister, a little girl who was very fair, as some Kashmiri children are. Some English soldiers met them on the way and they suspected this little aunt of mine to be an English girl and accused my uncle of kidnapping her. From an accusation, to summary justice and punishment, was usually a matter



of minutes in those days, and my uncle and others of the family might well have found themselves hanging on the nearest tree. Fortunately for them, my uncle's knowledge of English delayed matters a little and then some one who knew him passed that way and rescued him and the others.

For some years the family lived in Agra, and it was in Agra on the sixth of May 1861 that my father was born. But he was a posthumous child as my grandfather had died three months earlier. In a little painting that we have of my grandfather, he wears the Moghal court dress with a curved sword in his hand, and might well be taken for a Moghal nobleman, although his features are distinctly Kashmiri.

The burden of the family then fell on my two uncles who were very much older than my father. The elder uncle, Bansi Dhar Nehru, soon after entered the judicial department of the British Government and, being appointed successively to various places, was partly cut off from the rest of the family. The younger uncle, Nand Lal Nehru, entered the service of an Indian State and was Diwan of Khetri State in Rajputana for ten years. Later he studied law and settled down as a practising lawyer in Agra. My father lived with him and grew up under his sheltering care. The two were greatly attached to each other and their relation with each other was a strange mixture of the brotherly and the paternal and filial. My father, being the last comer, was of course my grandmother's favourite son, and she was an old lady with a tremendous will of her own who was not accustomed to be ignored. It is now nearly half a century since her death but she is still remembered amongst old Kashmiri ladies as a most dominating old woman and quite a terror if her will was flouted.

My uncle attached himself to the newly established High Court and when this court moved to Allahabad from Agra, the family moved with it. Since then Allahabad has been our home and it was there, many years later, that I was born. My



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uncle gradually developed an extensive practice and became one of the leaders of the High Court Bar. Meanwhile my father was going through school and college in Cawnpore and Allahabad. His early education was confined entirely to Persian and Arabic and he only began learning English in his early 'teens. But at that age he was considered to be a good Persian scholar, and knew some Arabic also, and because of this knowledge was treated with respect by much older people. But in spite of this early precocity his school and college career was chiefly notable for his numerous pranks and escapades. He was very far from being a model pupil and took more interest in games and novel adventures than in study. He was looked upon as one of the leaders of the rowdy element in the college. He was attracted to Western dress and other Western ways at a time when it was uncommon for Indians to take to them except in big cities like Calcutta and Bombay. Though he was a little wild in his behaviour, his English professors were fond of him and often got him out of a scrape. They liked his spirit and he was intelligent, and with an occasional spurt he managed to do fairly well even in class. In later years, long afterwards, he used to talk to us of one of these professors, Mr. Harrison, the principal of the Muir Central College at Allahabad, with affection, and had carefully preserved a letter of his, dating from the old student days.

He got through his various university examinations without any special distinction, and then he appeared for his final, the B.A. He had not taken the trouble to work much for it and he was greatly dissatisfied with the way he had done the first paper. Not expecting to pass the examination, as he thought he had spoiled the first paper, he decided to boycott the rest of the examination and he spent his time instead at the Taj Mahal. (The university examinations were held then at Agra.) Subsequently his professor sent for him and was very angry with him for he said that he (my father) had done the first paper fairly well and he had been a fool for not appearing



for the other papers. Anyhow this ended my father's university career. He never Graduated.

He was keen on getting on in life and establishing himself in a profession. Naturally he looked to the law as that was the only profession then, in India, which offered any opening for talent and prizes for the successful. He also had his brother's example before him. He appeared for the High Court Vakils' examination and not only passed it but topped the list and got a gold medal for it. He had found the subject after his own heart, or rather, he was intent on success in the profession of his choice.

He started practice in the district courts of Cawnpore and, being eager to succeed, worked hard at it and soon got on well. But his love for games and other amusements and diversions continued and still took up part of his time. In particular, he was keen on wrestling and dangals. Cawnpore was famous for these public wrestling matches in those days.

After serving his apprenticeship for three years at Cawnpore, father moved to Allahabad to work in the High Court. Not long after this his brother, Pandit Nand Lal, suddenly died. That was a terrible blow for my father; it was a personal loss of a dearly loved brother who had almost been a father to him, and the removal of the head and principal earning member of the family. Henceforward the burden of carrying on a large family mainly fell on his young shoulders.

He plunged into his work, bent on success, and for many months cut himself off from everything else. Nearly all of my uncle's briefs came to him, and as he happened to do well in them the professional success that he so ardently desired soon came his way and brought him both additional work and money. At an early age he had established himself as a successful lawyer and he paid the price for this by becoming more and more a slave to his jealous mistress—the law. He had no time



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for any other activity, public or private, and even his vacations and holidays were devoted to his legal practice. The National Congress was just then attracting the attention of the English-knowing middle classes and he visited some of its early sessions and gave it a theoretical allegiance. But in those days he took no great interest in its work. He was too busy with his profession. Besides, he felt unsure of his ground in politics and public affairs; he had paid no great attention to these subjects till then and knew little about them. He had no wish to join any movement or organization where he would have to play second fiddle. The aggressive spirit of his childhood and early youth had been outwardly curbed, but it had taken a new form, a new will to power. Directed to his profession it brought success and increased his pride and self-reliance. He loved a fight, a struggle against odds and yet, curiously, in those days he avoided the political field. It is true that there was little of fight then in the politics of the National Congress. However, the ground was unfamiliar, and his mind was full of the hard work that his profession involved. He had taken firm grip of the ladder of success and rung by rung he mounted higher, not by any one's favour, as he felt, not by any service of another, but by his own will and intellect.

He was, of course, a nationalist in a vague sense of the word, but he admired Englishmen and their ways. He had a feeling that his own countrymen had fallen low and almost deserved what they had got. And there was just a trace of contempt in his mind for the politicians who talked and talked without doing anything, though he had no idea at all as to what else they could do. Also there was the thought, born in the pride of his own success, that many—certainly not all—of those who took to politics had been failures in life.

An ever-increasing income brought many changes in our ways of living, for an increasing income meant increasing expenditure. The idea of hoarding money seemed to my father a slight on his own capacity to earn whenever he liked and as



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much as he desired. Full of the spirit of play and fond of good living in every way, he found no difficulty in spending what he earned. And gradually our ways became more and more Westernized.

Such was our home in the early days of my childhood.

(Jawaharlal Nehru — An Autobiography)



## CHAPTER 2

# KASHMIR — THE MEETING GROUND OF DIFFERENT CULTURES OF INDIA

// Nearly four years ago, when we were both together in Naini Central Prison, Ranjit Pandit told me of his intention to translate Kalhana's Rajatarangini. I warmly encouraged him to do so and saw the beginnings of this undertaking. We came out of prison and went back later and so, in and out, and mostly in, we have spent the last four years. But we were kept in different gaols and many high walls and iron gates separated us, and I was unable to follow the progress of the translation. It turned out to be a much vaster undertaking than I had imagined and I was glad that the translator persevered with his work in spite of the difficulties and delays inseparable from a residence in gaol.

"It was Ranjit Pandit's wish, in those early days when he began the translation, that it should be introduced to the public by a preface or a foreword from my father, Pandit Motilal Nehru. Indeed one of the reasons which led him to translate this ancient story of our old homeland was to enable my father to read it, for he knew no Sanskrit. But that was not to be, and now I am told that, in his absence, the duty of writing that foreword devolves upon me. I must play the substitute however poorly qualified I may be for the task.

"It is for scholars and learned men to appraise and judge this translation. That is not my task. I feel a little overwhelmed by the ability, learning and tremendous industry that



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Ranjit Pandit has put into this work. It was a work worth doing. Nearly half a century ago, Mr. S.P. Pandit wrote of the *Rajatarangini* that it was "the only work hitherto discovered in India having any pretensions to be considered as a history." Such a book must necessarily have importance for every student of old Indian history and culture.

"It is a history and it is a poem, though the two perhaps go ill together, and in a translation especially we have to suffer for this combination. For we cannot appreciate the music of the poetry, the charm of Kalhana's noble and melodious language, only the inexactitude and the extravagant conceits remain. The translator has preferred a literal rendering, sometimes even at the cost of grace of language, and I think he has chosen rightly, for in a work of this kind exactitude is necessary.

"Written eight hundred years ago, the story is supposed to cover thousands of years, but the early part is brief and vague, and sometimes fanciful, and it is only in the later periods, approaching Kalhana's own times, that we see a close-up and have a detailed account. It is a story of medieval times and often enough it is not a pleasant story. There is too much of palace intrigue and murder and treason and civil war and tyranny. It is the story of autocracy, and military oligarchy here as in Byzantium or elsewhere. In the main it is a story of the kings and royal families and the nobility, not of the common folk—indeed the very name is the 'River of Kings'.

"And yet Kalhana's book is something far more than a record of kings' doings. It is a rich storehouse of information, political, social and to some extent economic. We see the panoply of the middle ages, the feudal knights in glittering armour, quixotic chivalry and disgusting cruelty, loyalty unto death and senseless treachery; we read of royal amours and intrigues and of fighting and militant and adulterous queens. Women seem to play quite an important part, not only behind the scenes but in councils and the fields as leaders and soldiers.



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"Sometimes we get intimate glimpses of human relations and human feelings, of love and hatred, of faith and passion. We read of Suyya's engineering feats and irrigation works; of Lalitaditya's distant wars of conquest in far countries; of Meghavahana's curious attempt to spread nonviolence also by conquest; of the building of temples and monasteries and their destruction by unbelievers and iconoclasts who confiscated the temple treasures. And then there were famines and floods and great fires which decimated the population and reduced the survivors to misery.

"It was a time when the old economic system was decaying, the old order was changing in Kashmir as it was in the rest of India. Kashmir had been the meeting-ground of the different cultures of Asia, the western Greco-Roman and Iranian and the eastern Mongolian; but essentially it was a part of India and the inheritor of Indo-Aryan traditions.

"And as the economic structure collapsed it shook up the old Indo-Aryan polity and weakened it and made it an easy prey to internal commotion and foreign conquest. Flashes of old Indo-Aryan ideals come out but they are already out of date under the changing conditions. War-lords march up and down and make havoc of the people. Popular risings take place—Kalhana describes Kashmir as "a country which delighted in insurrection!"—and they are exploited by military leaders and adventurers to their own advantage. We reach the end of that period of decay which ultimately ushered in the Muslim conquest of India. Yet Kashmir was strong enough because of its mountain fastnesses to withstand and repulse Mahmud of Ghazni, the great conqueror, who made a habit of raiding India to fill his coffers and build up an empire in Central Asia. It was nearly two hundred years after Kalhana wrote his history that Kashmir submitted to Muslim rule, and even then it was not by external conquest but by a local revolution headed by a Muslim official of the last Hindu ruler, Queen Kota.



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"I have read this story of olden times with interest because I am a lover of Kashmir and all its entrancing beauty; because, perhaps, deep down within me and almost forgotten by me, there is something which stirs at the call of the old homeland from where we came long, long ago; and because I cannot answer that call as I would, I have to content myself with dreams and fantasies, and I revisit the glorious valley girt by the Himalayan snows through books and cold print. As I write this my vision is limited by high walls that seem to close in upon me and envelop me and the heat of the plains oppresses me. But Kalhana enabled me to overstep these walls and forget the summer heat, and to visit that land of the Sun God "where realizing that the land created by his father is unable to bear the heat, the hotrayed sun honours it by bearing himself with softness in summer, where dawn first appears with a golden radiance on the eternal snows and, in the evening, "the daylight renders homage to the peaks of the towering mountains," where in the valley below, the lazy sleepy Vitastha winds slowly through smiling fields and richly-laden fruit trees, and creeps under the lordly chenars, and passes through still lakes covered with lotus blooms, and then wakes up and rushes down the gorges to the plains of the Punjab below. Man has sunk low there in his poverty but nature remains cruel and unfeeling, yet soft and smiling to the eye and the senses. "The joy of plunging into the Ganga is not known to those who reside in the sandy deserts," writes Kalhana; how can the dwellers in the plains know of the joys of the mountains, and especially of this jewel of Asia, situated in the heart of that mighty continent?

"The translator has used, as he should, the scholar's method of transcription for Sanskrit names and words. He must forgive me if, being a layman, I do not fancy this, and so, with all apologies to the International Congress of Orientalists, I propose to continue to write Sanskrit and Krishna and not Samskrta or Krsna. I do not like an old friend to develop an alien look, and what seem to be five consonants all in a bunch are decidedly foreign and strange-looking to me.



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"It is not for me to congratulate the translator, who is both my brother-in-law and a dear comrade, but I should like to commend especially his valuable notes and appendices."

(Introduction dated 28 June, 1934 in *Rajatarangini : The Saga of the Kashmir Kings* by Ranjit Sitaram Pandit)



### CHAPTER 3

## INTRODUCTORY ESSAY ON KASHMIR

"Yes, in my mind these mountains rise,  
Their perils dyed with evening's rose;  
And still my ghost sits at my eyes  
And thirsts for their untroubled snows."

Nearly six years ago I quoted these lines from Walter de la Mare as I sat in prison writing the story of my life and thinking of my last visit to Kashmir. In prison or outside, Kashmir haunted me, and, though many years had passed since I had set eyes on its valleys and mountains, I carried the impress of them on the tablets of my mind. I yearned to visit them again, and struggled against this yearning. Was I to leave my work that took all my time, play truant to it, to satisfy the hunger of my eyes and the desire of my heart ?

But days passed and months and years and life is short, and a fear gripped me with this passing of time. Age may have its advantages, and the Chinese, above all other people, have praised them. It gives, or should give, stability and equilibrium to the mind, a sense of poise, an appearance of wisdom, even a keener appreciation of beauty in all its forms. But age is stiff and crabbed and unimpressible and reacts slowly to outside stimuli. It cannot be moulded easily; its emotional reactions are limited. It looks to comfort and security more than to the fine frenzy of enthusiasm. While it gives its sober and reasoned appreciation to the beauty of nature and art, it does not mirror this beauty in its eyes or feel it in its heart. It makes all the difference in the world whether one visits Italy



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not Fascist Italy, but the Italy of song and music and beautiful art, of Leonardo and Raphael and Michael Angelo, of Dante and Petrarch in one's youth or in later years. Besides, what can age do to a mountain except sit and gaze in silent wonder ?

So with the passing of time and the slow but irresistible coming of age over me, I began to grow afraid lest I might no longer be capable of experiencing that emotional reaction to the beauty Kashmir when at last I went there again.

Friends in Kashmir invited me repeatedly to go there. Sheikh Abdullah pressed me again and again, and everyone who was of Kashmir reminded me that I, too, was a son of this noble land and owed a duty to it. I smiled at their insistence, for the urge within me was far greater than any that they could have placed before me. Last year I made up my mind to go and, if it was possible, to take Gandhiji with me. But at the last moment fate willed otherwise and I hurried by air to the other end of India and across the sea to Lanka, and on my return I flew to China.

Meanwhile events marched on with amazing speed. War came in Europe and began to spread its tentacles to India. New problems arose, new difficulties, and I noticed with alarm that I was being caught more and more in the clutches of these events. Would the possibility of my visiting Kashmir again recede into the far distance ? My mind rebelled against this fate, and even as the future of France hung in the balance, I went to the Frontier Province and on from there to Kashmir.

I took the route via Abbottabad and the Jhelum Valley, a pleasant route with the panorama of the valley slowly unfolding in all its charm and beauty. But perhaps it would have been better if I had gone via Jammu and over the Pir Panjal. This is dull going most of the way, but as one crosses the mountain and goes through a long tunnel the sight that meets the eye is overpowering in its magic beauty. Out of the dark-



ness one comes into the light, and there, far below, lies the vale of Kashmir, like some wonderland of our dreams, encircled by high mountains that guard it jealously from intrusion.

I did not go this way, and my approach was more sober and the change was slower. But my mind was filled with the excitement of my return, and it pleased me to be welcomed every. where as a brother and a comrade, who, in spite of long absence, was still of Kashmir and was coming back to his old homeland. With joy I saw the reality of the pictures in my mind which I had treasured for long years. I emerged from the mountains and the narrow valley, down which the Jhelum roared and tumbled in youthful abandon, and the vale itself spread out before me. There were the famous poplars, slim and graceful sentinels, beckoning a welcome to you. There was the lordly chenar in all its majesty, with centuries of growth behind it. And there were the beautiful women and bonny children of Kashmir working in the fields.

We approached Srinagar, and there were cordial welcome and friendly faces everywhere. Up the river we went in a stately barge with numerous shikaras following, and the river-side steps and houses filled with cheering men and women and children. I was moved, as I have seldom been by this affection that was showered upon me, and I became tongue-tied by the emotions that surged within me as the panorama of Srinagar passed by. Hari Parvat was in the background, and Shankaracharya or Takht-e- Suleiman loomed in the distance. I was in Kashmir.

I spent twelve day in Kashmir, and during this brief period we went some way up the Amarnath Valley and also up the Liddar valley to the Kolahoi glacier. We visited the ancient temple at Martand and sat under the venerable chenar trees of Brijbehara, which had grown and spread during four hundred years of human history. We loitered in the Moghal gardens and lived for a while in their scented past. We drank the



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delightful water of Chasme Shahi and swam about in the Dal Lake. We saw the lovely handiwork of the gifted artisans of Kashmir. We attended numerous public functions, delivered speeches, and met people of all kinds.

I tried to give my mind to the activity of the moment, and perhaps, in a measure, succeeded. But my mind was largely elsewhere, and I went through my engagements and the day's programme, and functioned on the public stage, like one who is absorbed in some other undertaking or is on a secret errand whose object he cannot disclose. The loveliness of the land enthralled me and cast an enchantment all about me. I wandered about like one possessed and drunk with beauty, and the intoxication of it filled my mind.

Like some supremely beautiful woman, whose beauty is almost impersonal and above human desire, such was Kashmir in all its feminine beauty of river and valley and lake and graceful trees. And then another aspect of this magic beauty would come to view, a masculine one, of hard mountains and precipices, and snowcapped peaks and glaciers, and cruel and fierce torrents rushing down to the valleys below. It had a hundred faces and innumerable aspects, ever-changing, sometimes smiling, sometimes sad and full of sorrow. The mist would creep up from the Dal Lake and, like a transparent veil, give glimpses of what was behind. The clouds would throw out their arms to embrace a mountain-top, or creep down stealthily like children at play. I watched this ever-changing spectacle, and sometimes the sheer loveliness of it was overpowering and I felt almost faint. As I gazed at it, it seemed to me dream-like and unreal, like the hopes and desires that fill us and so seldom find fulfilment. It was like the face of the beloved that one sees in a dream and that fades away on awakening.

When I went to China I marvelled at the artistry and exquisite craftsmanship of the Chinese people. India has long



been famous for her artisans and craftsmen, but china seemed to me to be definitely superior in this respect. In Kashmir I had the feeling that here was something which could equal China. How beautiful are the articles made by the deft fingers of Kashmir's workers ! To look at them was a pleasure, to handle them a delight.

Kashmir has been famous for its shawls for hundreds of years. Yet in spite of this fame the making of these fine shawls languished and shoddy articles from western factories took their place. That was the fate also of other fine hand-made articles of Kashmir. A limited tourist trade survived, but, generally speaking, the rich people of India preferred foreign goods to these things of beauty and artistic worth that Kashmir produced.

The National Movement in India, which took a new turn twenty years ago, had far-reaching results in many fields. Our insistence on hand-made products gave a new life to these products, and many, a dying industry was revived. Kashmir was affected by this renaissance also, and gradually a new market for Kashmir goods sprang up in India. The All-India Spinners' Association played a leading part in this, and their Kashmir branch became the supplier of hundreds of sale-depots all over India. Yet the pace has been slow and might well have been quicker. This growth of handicrafts has brought work to many of the skilled unemployed and points the way to prosperity.

But wages are low, and the contrast between the loveliness of the work done and the wages paid for this skill shames one. Kashmir, even more than the rest of India, is a land of contrasts. In this land, overladen with natural beauty and rich nature's gifts, stark poverty reigns and humanity is continually struggling for the barest of subsistences. The men and women of Kashmir are good to look at and pleasant to talk to. They are intelligent and clever with their hands. They have a rich



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and lovely country to live in. Why, then should they be so terribly poor ?

Again and again, as I was wrapped in pleasurable contemplation of Kashmir's beauty, I came back to hard earth with a shock when I saw this appalling poverty. Why should these people remain so miserably poor, I wondered, when nature had so abundantly endowed them ? I do not know what the mineral or other natural resources of Kashmir are. I should imagine that the country is rich in them, and in any event a very full survey is one of the first steps that should be taken.

But even if no additional wealth was disclosed, the existing resources are enough to raise the standard of living considerably. Provided, of course, that they are properly co-ordinated and utilized on a planned and ordered basis. Cheap power is available and many small and big industries can be started. The field for the development of cottage industries and handicrafts is enormous. Then there is the tourist traffic, for which Kashmir is an ideal country. It can well become the playground, not only of India, but of Asia.

I do not personally fancy a country depending largely on tourist traffic. Such dependence is not good, and external causes may put a sudden end to it. But there is no reason why tourist traffic should not be developed as a part of a general scheme of all-round development. There is at present a Tourist Department, but its activities appear to be strictly limited and of the flat, official variety. I could not even obtain simple guide-books of Kashmir. Some of the descriptive accounts of the routes to and in Kashmir were so badly got up and printed that it was painful to refer to them. Even now, possibly the only decent guides are those written a generation or more ago. The first job that the Tourist Department should take up is to produce cheap and simple guides and folders with full information about the various routes up or across valleys.



Kashmir is an ideal place for youth hostels such as have grown up all over Europe and America. The whole country should be dotted with these hostels, and young people, boys and girls, should be encouraged to tramp over the hills and valleys and thus gain an intimate knowledge of the country.

I have mentioned cheap power. On my way up the Jhelum Valley, I visited again the hydroelectric power works. More than twenty years had made no difference to them or increased their utility; much of the power produced was being wasted, and much that could be produced was not produced at all. These works symbolized for me the static condition of Kashmir.

For Kashmir has been singularly static. Srinagar city may have grown and there are more houses on the out-skirts. New boulevards skirt the Dal Lake, and the Maharaja likes to build palaces. His new palace, a vast affair, looked chaste and attractive, unlike the usual palaces of ruling chiefs in florid and exuberant styles. But a few boulevards and palaces do not make much difference to a city or a country, and, apart from these minor changes, the aspect of Srinagar was not greatly changed.

I wish that some great architect would take charge of the planning and rebuilding of Srinagar. The river fronts should be attacked first of all, the slums and dilapidated houses should be removed and airy dwellings and avenues take their place, a proper drainage system introduced, and so much else done to convert Srinagar into a fairy city of dream-like beauty, through which runs the Vitastha and the many canals sluggishly wind their way with the shikaras plying on them and the houseboats clinging to the banks. This is no fancy picture, for fairyland lies all round it; the magic is there already, but unfortunately human hands and human folly have tried to cover it here and there. Still it peeps out through slum and dirt.



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But if this planning is to be resorted to, the building of palaces for a few rich must be held up and the resources of the State applied to this great work. There can be no planning with great vested interests consuming a great part of the wealth of the State and obstructing public progress. Nor can there be any such real planning when the standard of the people is very low, and poverty consumes them, and evil customs bar the way. We shall have to think differently and act rapidly if we are to achieve substantial results in our generation.

While Kashmir appeared so static and unchanging, one change pleased me greatly. This was the introduction of Basic Education in the State schools. I visited some of these schools and saw the happy children with bright and intelligent faces at work and at play. It is for this generation that we struggle and build, and it is well that some at least among them are learning rightly the business of life and developing in their early years an integrated personality and adaptable minds and hands. I hope that Basic Education will spread throughout Kashmir and bring into its fold every little boy and little girl.

I have written that Kashmir had a static appearance. Yet there was one major and fundamental change, which I sensed as soon as I set foot on its soil. I had heard of political awakening there, of the growth of a big organization, often of troubles and conflicts, of good happenings and bad. I had taken interest in all this and read about it, and sometimes discussed it with those most concerned. So I expected to see this change.

I have enough experience of mass movements, some sense of the crowd, a way of judging rapidly and almost intuitively the strength and depth of popular movements. A big crowd may welcome me, and yet to me it might convey no sense of power or of feelings deeply stirred; it might even have an air of artificiality, of groups of sightseers out on a holiday, to have a glimpse of a well-known personality. A much smaller crowd might produce a deeper impression on me and give me a



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glimpse of strange currents and powerful forces beneath the surface of the life of the people.

I try to be receptive, to tune myself to the inner mood of the mass, so that I can understand it and react to it. That understanding and reaction are necessary before I can try to impose my thought and will on them. So my mental temperature varies with the environment, and for a while I allow it full rein, before I pull myself up lest I go astray. Sometimes a contrary reaction is produced in me by some untoward event, which affects me far more than because of my receptive mood.

With this experience behind me, I set myself out to understand the inner significance of the popular movement in Kashmir. People came to me to speak in praise of it or to criticize it, and I listened to them patiently and sometimes learned something from them. But my rod of measurement cared little for the incidents that seem to excite some people. I was not out to measure individuals, though to some extent that also had to be done, but to grasp what the mass of the people felt, what moved them, what they aimed at, though vaguely and semi-consciously, what strength they had developed, what capacity for united action.

I sensed that Kashmir was astir and the masses were on the move. That had been a common experience to me in many parts of India during the past twenty years. But it was an uncommon experience on that scale in an Indian State. There could be no doubt of the widespread awakening among the people, and of a growing feeling of self-reliance and strength. In this respect, in some ways, Kashmir seemed to be in advance. It was difficult to judge of the discipline and self-imposed restraint that accompanied this new-found strength. I think there was a measure of discipline also, though perhaps not so much as in the more politically developed parts of India. Perhaps, also, that idealism, which has been so marked a feature of the Indian Nationalist Movement, was not present to the



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same degree. The political awakening had not yet brought in its train that hard experience and close thinking which we had had elsewhere. That was natural, for the Kashmir movement was comparatively young, though even in its few years of life it had gone through many an experience which had moulded it and given it shape.

Considering the brief life of this movement, I was surprised to find how vital and widespread it was, although I saw it during a period of quiescence. It had changed the face of Kashmir during these few years, and, if properly led and controlled, it held promise of great good for the country.

In its leadership it was fortunate, for Sheikh Mohammad Abdullah was a real leader of the people, beloved of them, and with vision which looked ahead and did not lose itself in the petty conflicts of the moment. He was the founder and initiator of the movement. At first it began on communal lines and became entangled in many unfortunate occurrences. But Sheikh Abdullah pulled it out of these ruts and had the courage and statesmanship to steer it out of the narrow waters of communalism into the broad sea of nationalism. Dangers and difficulties still remain—which one of us is free from them?—and he will have to steer carefully and to overcome them.

It was a remarkable feat for any person to have brought about this political awakening among the poverty-stricken and helpless people of Kashmir. It was still more remarkable to check it from overflowing into wrong channels, and to guide it with a strong hand along the right path. The difficulties were increased during the past three years by the growth of the communal spirit all over India, which inevitably had some effect on Kashmir also. Sheikh Abdullah performed these remarkable feats and rightly earned the title of "Sher-e-Kashmir," by which he is popularly known. He did not, and he could not, get rid of all the ills—communal or other—that a popular movement



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suffers from. But the measure of his considerable success is obvious enough in Kashmir today.

This movement has so far affected Kashmir proper far more than Jammu Province, which is partly allied to and affected by Punjab politics. In a sense Kashmir is a definite historical, cultural, and linguistic unit, and it was natural for a popular movement to spread there first without producing the same effect on Jammu. Kashmir proper had an overwhelmingly big proportion of Muslims in the population; there are about 95 per cent of them. If Jammu Province is included, the muslim proportion is reduced to about 75 per cent, which is substantial enough.

The Hindus of Kashmir proper, chiefly Kashmiri Pandits, though only about 5 per cent, are an essential and integral part of the country, and many of their families have played a prominent part in Kashmir's history for a thousand years or more. Even today they play a significant part in the State Services and administration. Essentially these Kashmiri Pandits are the middle-class intelligentsia. Intellectually they compare very favourably with any similar group in India. They do well in examinations and in the professions. A handful of them, who migrated south to other parts of Northern India during the last two hundred years or so, have played an important part in public life and in the professions and services in India, out of all proportion to their small numbers.

A popular mass movement, especially in Kashmir proper with its 95 per cent Muslim population, was bound to be predominantly Muslim. Otherwise it would not be popular and would not affect the masses. It was also natural that the Hindu minority of 5 per cent should not view it with favour, both from the communal and the middle-class point of view. Certain unfortunate occurrences and communal riots in 1931 added to these fears and suspicions. The Kashmiri Pandits, though a small in number, are impelled by a desire for self-protection.



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tion, started organizing themselves as a communal group. Since then the situation has certainly improved, and, though fear and suspicion remain to some extent, the feeling of hostility is much less. This has been brought about by a keener appreciation of the realities of the situation as well as by Sheikh Abdullah's consistent policy to give the popular movement a national basis. A number of Kashmiri Pandits, especially some bright young men, have definitely joined the National Conference. The great majority, however, hold formally aloof, though in no hostile sense, and a definite attempt to establish friendly relations is visible. I am leaving out of consideration the activities or reactions of individuals, who do not make much difference when considering the various currents and group forces at play.

I imagine, though I have no definite data for this, that the development of the Congress movement and of the Khudai Khidmatgars in the north-West Frontier Province had considerable influence on Kashmir during the last ten years. The two are adjoining territories and have many contacts, and yet the Afghans and the Kashmiris differ from each other markedly. It is surprising that such close neighbours, who have lived next to each other for nearly a thousand years, should differ so much physically, intellectually, culturally, and emotionally. But in spite of these differences there is much in common, and the political upheaval in the Frontier Province was bound to produce its reactions in Kashmir.

I was exceedingly fortunate, therefore, in having as my companion during the Kashmir visit Khan Abdul Ghaffar Khan, who has been the cause of this political awakening in the Frontier and who symbolizes it so much in his own person. It was obvious that he was a favourite of the Kashmiris, as he has become of people in all parts of India. "Fakhr-e-Afghan," or Badshah Khan, as he is popularly and affectionately known, was a delightful companion, though a hard taskmaster occasionally. Both the Frontier Province and Kashmir adjoin the



Punjab. And they complain that it is the communal spirit of the Punjab that creeps in and creates friction and trouble, otherwise there would be communal harmony. This complaint is especially bitter against certain sections of the Punjab press, both Muslim and Hindu owned, which spread out into these adjoining territories, which have no proper newspapers of their own. As a reaction against this Press invasion from the Punjab, there is a tendency for Kashmir and the Frontier Province to hold together. These contacts are likely to grow, and I think they should grow, to the mutual advantage of both.

I addressed many great gatherings in Srinagar and out-side, but I had gone to Kashnir more to learn and to understand than to teach. Two of the Srinagar meetings I addressed were held under the auspices of the National Conference, whose guest I was. Two others in Srinagar were held under the auspices of the Yuvak Sabha, the organization of the Kashmiri Pandits, and one of these meetings, held at my particular request, was specially meant for the Panditanis.

I spoke at some length on the minority problem at the Yuvak Sabha meeting. I need not repeat what I said then, for it has been said often enough, but I warned them not to fall into the trap into which minorities so easily fell. I spoke frankly and freely, for, having been born in a Kashmiri Pandit family, I could take liberties with my own people.

While every individual and group deserved equal protection and help from the State, the idea of special safe-guards for a minority group was full of peril for that group. For such safe-guards led to dependence on extraneous help and weakened the group's spirit of self-reliance; the special privileges amounted, in effect, to little, but they created walls of prejudice which injured the group, and barriers which prevented growth.



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Above all, they led to a narrowness of outlook and to isolation from national activities and the life-giving currents which moved the masses. At any time such safe-guards and special protection were dangerous gifts to ask for or to receive. In the dynamic world of today, with vast revolutionary changes taking place before our eyes, it was folly of the first order to imagine that such safeguards or privileges could hold and protect. Only strength of mind and purpose and unity of action could give some protection.

Safeguards and special protection might, perhaps, be needed by a group which was very backward educationally and economically. They were in the nature of crutches for the lame and the halt. Why should those who were keen of mind and swift of foot require them? No one had ever accused the Kashmiri Pandits of lack of intelligence or of ability to adapt themselves to a changing environment. All that they should demand was a free and open field for talent and ability.

I pointed out to them what an outstanding part Kashmiris, both Hindu and Muslim, had played in the whole of India, although they were small in numbers. In public life, professions, services in the states, in cultural activities, they had done remarkably well, without the least help or protection from anybody. Many of the Muslim Kashmiris are not known as Kashmiris, and so people do not appreciate this fact. But, as a matter of fact, Muslim Kashmiris are prominent in many walks of life in India. One famous name stands out above all others—that of the poet, Sir Mohammad Iqbal, who was a Sapru.

Kashmiri Pandits are more recognized in India as Kashmiris. They have done astonishingly well, although in numbers they are probably under five thousand outside Kashmir. I told my audience with becoming modesty, that during the fifty-five years of the life of the Indian National Congress, for seven years Kashmiri Pandits had been presidents of the remarkable



record for a handful of people who had migrated from Kashmir to the plains below.

The whole question of minorities and majorities in India is tied up with foreign and third-party rule. Eliminate that rule, and the basic aspect of this question changes. That process of elimination is going on now.

So I spoke and said much else, laying especial stress on the need for every group, if it was to count in the future, to throw its weight on the side of the masses, to join the national movement and draw strength and sustenance from it. No group or community which was continually shouting about itself, and demanding this and that special privilege or protection, would make much difference to the future that was being shaped. That future would be shaped without it.

The women's meeting was an extraordinary sight. It rained heavily throughout, and the meeting was held in the open. I had imagined that the meeting would be abandoned. But for hours before the time of the meeting thousands of women gathered and stood in the pouring rain, and when Badshah Khan and I got there these girls and young women and old women were standing in ankle-deep mud and water. I am partial to the women of Kashmir. They are beautiful and full of charm, and there was many a bright and intelligent face there in that eager audience. I spoke to them of women's problems, of what women had done and were doing in our national movement, of what their own kith and kin had done. And I urged them to rid themselves of the barriers of purdah, where such existed, and evil custom. The old orthodoxy must go, and the women of Kashmir, who were so eminently fitted in many ways, must play their part in the new India which we were all building together.

Wherever I went these women of Kashmir came to welcome me and to treat me as a brother or a son. It was a joy to



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meet them and to see the affection in their eyes. At Mattan, old Kashmiri ladies came to bless me and kiss me on the forehead, as a mother does to her son.

We spent three and a half days in Srinagar and then sought a week's respite in the higher valleys. The vale itself and the gardens and country round about Srinagar could have held me indefinitely, but I hungered for the mountains and the narrow paths over precipices and the glaciers. I wanted to crowd as much of experience and sensations as I could during these few days, to fill the storehouse of my memory with a picture gallery which I could visit at leisure when I chose to. Srinagar was also, inevitably, too full of engagements and interviews and meetings; it repeated too much the old pattern of any life.

We went to Vernag and Achhbal, Anantnag or Islamabad, and Mattan or Martand. The weather was unkind and the rain pursued us but this did not prevent crowds gathering to welcome us, and often I had to say a few words to them in the pouring rain. I was tired and soaked to the skin when we reached Pahalgam in the evening. Pahalgam had grown since I had seen it last many years ago, and was something much more now than a mere camping-ground.

The next day we went, again to the accompaniment of rain, to Chandanwari on the Amarnath road. We went on horseback and on foot. Some of our party did not like this trip because of the rain, and returned tired, bored, and exhausted. But I felt exhilarated by the beating of the rain on my face, and I loved to watch the rushing mountain torrent, whose winding course we followed. Leaving the party at Chandanwari, I went on some miles farther up with a friend. To my great regret, we could not go, for lack of time, to the lovely mountain lake of Shishnag, which was the next stage on the journey to the cave of Amarnath.



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We came back from Chandanwari to Pahalgam the same day, and early the next morning our caravan proceeded to Liddarwat, following the course of the Liddar River. There was a midday halt at Aru, a lovely camping-ground, and then to Liddarwat and a well-earned rest. The weather had cleared and we scanned the skies hopefully and anxiously, for the next day we were to go to the Kolahoi glacier.

It turned out to be a fine, clear day, and it was well that it was so, for the going was bad, over rocks and boulders and across several small mountain streams. We reached the glacier at last and had our mid-day meal at its base. We then climbed up it for some distance, avoiding the pits and crevasses. We could not go far or stay long, as we had to hurry back to Liddarwat. But even that brief visit to the glacier was exhilarating and satisfied an old craving of mine.

The return journey was very tiring, and we reached our camp late in the evening. Badshah Khan was particularly exhausted, partly because he insisted on walking more than the others, who struck to their hill ponies as much as they could. But whether he was tired or not, the pace of his walk did not slacken, his stride was no shorter, and those of us who tried to keep step with him panted in despair and were gradually left behind. To see his six feet-two of Pathan manhood striding along those mountain-paths was a sight which impressed itself very forcibly on me, and this is the picture of Khan Sahab that comes most often to my mind.

During this trip to the Kolahoi glacier there were a number of small accidents, and almost every member of our party had a fall from horseback or on the boulders, or on the glacier itself. I was one of the fortunate few who escaped.

The next day we decided to rest at Liddarwat; not quite, for we went on a tramp on the path which leads across the mountains to the Sind Valley. I wanted to go this way to visit



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Sonamarg on the other side, for the valley where Sonamarg is situated is a miracle of beauty. But in order to get there we had to go over a high pass which was not an easy matter at that time of the year. Our party was too big and the time at our disposal limited. This pass has the expressive name of Yamher—the ladder of death, or the ladder of Yama, the god of death. It is covered with slippery ice, which no doubt facilitates the passage to the other world.

So we gave up the idea of crossing over to the Sind Valley, but nevertheless we went a small part of the way and visited a number of Gujar encampments. These Gujar, semi-nomads, come up to these higher valleys during the summer with their cattle, in search of grazing-grounds. They build temporary shelters for themselves which could neither keep out the rain nor the cold wind. Sometimes they live under some overhanging rocks.

The Gujar were followed a little later in the summer by another tribe, the Bherwalas, who came with thousands of sheep and pushed the Gujar and their cattle away to higher regions. Then armies of sheep covered the whole valley and the hillside, and ultimately the Gujar had to take refuge almost at the foot of the glaciers, till they came down to the lower valley at the end of the summer. As we were returning from Lid-darwat the next day we passed these armies of sheep on the march, going up and up in search of pasture.

We visited many of these Gujar shelters, and, to my surprise, we were welcomed everywhere. Ordinarily these people do not take kindly to strangers, for the stranger and city dweller is to them a person who comes to exploit them. He buys their milk products cheap and sells city goods dear, and they are ever in his clutches because of debt. They are simple folk, not knowing reading or writing or arithmetic. They cannot keep accounts or check what the dealer from the city says



to them. They are continually being cheated and exploited and live in extreme poverty.

But we were received in all friendship, probably because Sheikh Abdullah was with us and they had heard his name, possibly also because a good reputation had preceded us. In one of these shelters—about 30 feet by 20 feet—we enquired how many people lived there. No one knew; they could not count thus far, and, anyway, they had never bothered themselves about it. Then we proceeded on another line of enquiry. How many families lived there ? There were six or seven families. We enquired from the head of each family about his wife and children. And so we arrived at a total figure of fifty-three or fifty-four for that one shelter. This was an unusually large shelter; the others we visited were smaller.

We talked to these people and they spoke to us in a mixture of Hindustani and Punjabi. They were not Kashmiris and could hardly speak the Kashmiri language. They told us of their misery and poverty and of all their other difficulties. They invited us to break bread with them, and it was, perhaps, the best bread I have ever eaten. It was Makki-ki-roti, and there was some kind of green sag, or vegetable, with it.

I do not know where the Gujars come from, to what racial stock they belong. But they were a fine-looking people, and their women-folk had striking, clean-cut features. Their children were attractive, and Badshah Khan used to gather them and play with them, for there is nothing he likes better than to have the little children of the poor about him. I remembered seeing him on many an occasion in the Frontier Province with a group of Pathan children clustering around him. His face was lighted up with affection for them, and the little ones looked with adoration on this Badshah Khan, who was their great big friend and leader.



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The women of these Gujars looked one straight in the face, and there was little shyness or self-consciousness about them. In one shelter I was a little surprised when one of the ladies of the house came forward and, taking my hand, bade me welcome. She invited us to come inside and share their meal of bread and vegetable, which she had been cooking. That gesture of hers and her manner were so full of grace and self-assurance that I could well have imagined that some great lady was inviting me to her noble mansion.

Our visit to the Gujar shelters led to a minor crisis in our camp. Badshah Khan had a habit of filling his pockets with sweets and fruits to distribute to the poor children we met on the road. His stock soon gave out when we met scores of children in the shelters. So he invited them to come to our camp.

On our return he sent for our camp cook and demanded that he produce all the foodstuffs he had, especially rice and flour and sugar. The cook was not very enthusiastic about this, and he returned with a small supply. Badshah Khan was not to be taken in, and he insisted on more. The cook pointed out that he had to feed a large party for another two days and he could not empty his limited stock. Our hosts also did not fancy the idea of having next to nothing left with us. But Badshah Khan insisted and said that anyway our party ate too much, which was perfectly true, and it would do us all a lot of good to have to put up with limited rations or even to starve for a day. There was no denying him, and the cook had to produce much more.

The next day we returned from Liddarwat to Pahalgam. For four or five days we had been completely cut off from news of the outside world, just when mighty decisions were being made on the battlefields of Northern France. We got some belated news at Pahalgam and found how very grave the situation was.



After spending the night at Pahalgam, we motored to Srinagar. On the way we visited the ancient temple of Martand, and inside those massive and eloquent ruins local friends had made arrangements for sumptuous refreshments. Then to Anantnag or Islamabad, and a big meeting, or rather two. Another gathering at Brijbehara under the spacious chenar trees. The platform where I stood was erected round the most ancient and majestic of these noble trees, with a girth of 55 feet at the base. It was about four hundred years old, we were told, and the course of this long span of history passed rapidly before me as I stood under its cool shelter. What strange happenings and revolutions and human follies it had witnessed during the centuries ! While men had come and gone, living their brief lives of joy and sorrow, and generation had followed generation, this king of trees had stood, surveying the human scene, unmoved and unperturbed.

Back to Srinagar. Packing and leave-taking, a party at the Amar Singh Club, where I met many old friends, and a final public meeting to bid good-bye to the people of Srinagar.

The next morning we left Srinagar and sped towards Jammu. The road left the valley and mounted up the Pir Panjal. As we went higher, the panorama spread out before us and broader vistas came into view. We stood near the mouth of the tunnel and had a last look at the valley below. There lay the Vale of Kashmir, so famous in song and history, in its incomparable loveliness. A thin mist covered part of it, and a soft light toned down the hard edges of the picture. Above the clouds rose snow-capped peaks, and down from the valley below came the faint and distant sound of running water. We bade a silent farewell, and, turning away with regret, entered the dark tunnel which took us to less favoured lands.

The night we spent at Kud on the Jammu road and met some friends there. The next morning to Jammu and the heat of the plains. Jammu gave us a great reception and an exhaust-



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ing one, for the sun was hot in the daytime. Processions, interviews, engagements, and finally a great meeting at night. This meeting was held in an old dried-up tank with steps all round, and this amphitheatre made a perfect setting for a big gathering. I was particularly pleased to see thousands of women at this meeting. Badshah Khan left us that evening for Peshawar, but Sheikh Abdullah and some other friends from Kashmir accompanied us up to Lahore, but there was business still on the way. At Sialkot there was a huge gathering, also in an old dried-up tank as in Jammu, and at Wazirabad another big public meeting.

And so to Lahore and new problems and difficulties. Here I left Sheikh Abdullah and other Kashmir friends who had been such close companions during the past fourteen days. They had overwhelmed us with their hospitality, and this companionship and comradeship had made us know and understand each other a little better.

Twelve days in Kashmir, twelve days after three-and-twenty years. Yet one vital moment is worth more than years of stagnation and vegetation, and to spend twelve days in Kashmir was good fortune indeed. But Kashmir calls back, its pull is stronger than ever it whispers its fairy magic to the ears, and its memory disturbs the mind. How can they who have fallen under its spell release themselves from this enchantment ?

(Essay dated 1940 in Kashmir — *Eden of the East* by  
S.N. Dhar)



## CHAPTER 4

# KASHMIR

**K**ashmir has been very much in the news for some months past. Ordinarily looked upon as a tourist resort, a country famous throughout history for its loveliness and climate, it has attracted an increasing number of people from year to year.

But it was not its beauty or its attraction for the tourist that brought it in the news in the spring and summer of 1946. Another aspect of this mountain country, which nature has placed like a crown on the brow of India, was constantly thrust before the eyes of millions in the rest of India and even abroad. This was not a thing of beauty. It was ugly in the extreme for this aspect was compounded of extreme poverty and misery, of authoritarian and despotic rule in the interest of a few and crushing the many, and of a fierce suppression of the unhappy people of the State.

Anything that happens in Kashmir has a certain importance for the rest of India, but recent events there have had an even greater importance, for the people's struggle and its fierce repression became symbols of a larger struggle for emancipation. Thus Kashmir became symbolic of the States in India where there is ferment and seething discontent, both political and economic, against the autocratic and often feudal rule that prevails there. The people of other States looked with sympathy towards the people of Kashmir and there was a feeling of solidarity between them. The Rulers of many States, no doubt, sympathised with and encouraged the Kashmir authorities and



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felt that their own interests were tied up to some extent with the fate of this struggle in Kashmir.

Popular movements which have any reality and strength behind them usually throw up personalities who tipify and symbolise that movement. Thus Sheikh Mohammad Abdulla became the living and outstanding symbol of the the urge of the Kashmir people for their freedom. Thus also the trial of Sheikh Abdulla became something much more than the trial of an individual; it was the trial of a whole people. Or perhaps it would be more correct to say that, in the ultimate analysis, it was the trial before the bar of public opinion of the State authorities who had tried to stem the flowing river of the great popular movement.

It is extraordinary how those in authority become blind to the lessons of history; how they cannot even understand current happenings. Just when we find that India is on the verge of independence, we find the Kashmir authorities, totally oblivious of this fact, seeking to crush their own people and their desire for freedom. A real people's movement can never be crushed in this way, much less can it be crushed when India herself is putting an end to foreign rule.

Because of all these factors, recent events in Kashmir have assumed an all-India importance and the trial of Sheikh Abdulla has a particular significance. I am glad that a record of this trial is being published, for this will bring many new facts before the public and help them to understand what has been happening in Kashmir and what happens or may happen in many another State in India.

The story of this brave struggle against the armed forces of the State has not ended by this trial. That story will go on till it reaches the logical end which can only be the establishment of freedom in Kashmir within the larger frame-work of a free and independent India. Meanwhile Sheikh Abdulla and many



of his colleagues lie in prison and to them we send our comradely greetings.

(Introduction dated 24 September, 1946, New Delhi in  
Kashmir on Trial, 1947)



## CHAPTER 5

# KASHMIR : HISTORY AND CULTURE

//This book is a welcome addition to the long story of Kashmir. There are, I believe, some old histories of Kashmir written in the Persian language, and there is the famous Rajatarangini written in Sanskrit eight hundred years ago and brought up-to-date from time to time. The Rajatarangini, in fact, is supposed to be the only history as such in Sanskrit. This fairly comprehensive history of Shri. P.N.K. Bamzai is, therefore, so far as I know, the only book of the kind and it is to be welcomed.

“Apart from the story of kings and rulers, it gives some account of the social, economic and cultural elements in the history of Kashmir. It brings out a peculiar feature of the Kashmiris and how their mixed culture took shape. About two thousand years or more ago, Kashmir was a great Buddhist centre and some of the famous Buddhist councils were held there. From then onwards it continued to be one of the principal centres of Sanskrit learning. Nearly a thousand years ago, Arab and Persian influences first affected Kashmir and later, under Muslim rule, Persian became the recognised official language. Thus Kashmir experienced successively and some times together Buddhist, Hindu and Muslim influences, creating a mixed but harmonised culture which is so evident even today in Kashmir.

“All over India something of this kind took place in varying degrees, more in the north than in the south. Thus we find



this mixture of various cultures growing up in different parts of India in varying degrees. In Kashmir, however, this process went much further and resulted in blending these cultures effectively. The conflicts between the religions and cultures there were less marked, and the people of Kashmir broadly accepted all of them and thus created a blended cultural atmosphere which was peculiar to Kashmir. Shri Bamzai's history brings this out and shows the influence of Islam on Hinduism and of Hinduism on Islam. This blending resulted in a relative absence of communal feeling. In fact, the special characteristic of the Kashmiris was that of tolerance. Kashmir thus became, even more so than the rest of India, a laboratory for this process of the blending of cultures. Linguistically Kashmir was for long a home of Sanskrit learning and later became a centre of the Persian language also. Out of this mixture grew the present Kashmiri language.

"Women in Kashmir have played a notable part in its history. Broadly speaking, women had greater rights there than in other parts of India.

"Because of the beauty of nature in the valley and other parts of Kashmir perhaps, a special characteristic of the Kashmiris has always been a love of nature. Even now large numbers of the people go, whenever they have a chance, to the Mughal Gardens to sit there sipping their tea made from samovars that they carry with them and enjoy the beautiful flowers and trees there. Kashmiri poetry is full of nature's beauties and a certain pride in living in this delectable area.

"The Mughal emperors were, as is well known, powerfully attracted to Kashmir and its beauty. Jehangir said that "Kashmir is a garden of eternal Spring". The fame of Kashmir thus spread to Europe and other parts of the world both for its charm of nature and its lovely handicrafts.



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"But nature's beauties exist in many places and are often ignored. In Kashmir they were appreciated by the common people and not only by the rulers and the like, and the beautiful handicrafts were produced by the men and women of Kashmir. The influence of these two factors in addition to the blended and harmonised culture that grew up there led to the people being generally tolerant and free from communal conflict.

"We must keep in mind these influences which have gone to mould the Kashmiri people and which explain, to some extent, its subsequent history and even more especially happenings in recent times. Kashmir was less affected by communal bigotry than most parts of India. Even when, after the Partition of India, terrible occurrences took place in northern India, Kashmir was by and large free from any major conflict.

"I am glad that Shri Bamzai has written in some detail about the events which took place in Kashmir's struggle for freedom and in the wake of the Partition of India. This makes us understand that the refusal of the people of Kashmir to accept the so-called two-nation theory was not a mere political development but had its roots in their long past and the culture they had developed.

"Kashmiris are known to be intelligent; they do very well in examinations. Their artisans are hard-working and have a sense of art and beauty. They love song and music. Perhaps because of these civilized traits they grew soft and other failings grew among them. They were not at all war-like and were thus very different from some of their neighbours. They liked a soft and quiet life. Perhaps it was this softness that attracted adventurous people from outside and ultimately led to the troubles that followed the Partition of India. That shock has had a powerful influence on them and has been an additional factor in moulding them.



"Kashmir has been very much in the news in the last few years and many people talk of it as if it was just a piece of territory over which there is a conflict and lengthy arguments take place in the Security Council of the United Nations. But behind all these arguments lie the people of Kashmir, an attractive people in many ways who want to live their own lives and, now that they have tasted freedom, to progress according to their own ways and maintain the blended culture which has been their hall-mark, whether they are Hindus or Muslims or Sikhs.

"This book gives some idea of this background and I hope many people will read it and thus begin to understand something that lies behind the controversies relating to Kashmir."

(Introduction dated 8 October, 1962 in *A History of Kashmir*  
by P.N.K. Bamzai.)



## CHAPTER 6

# **CORRESPONDENCE / SPEECHES / INTERVIEWS**

### **TO MAHATMA GANDHI**

**T**he stopping of interviews has made me retire a little more into myself but I have had pleasing and friendly neighbours—the Himalayas. The sight of their outline against the sky, and now their summits and sides covered with fresh snow, have meant a great deal to me. They seem to rouse in me ancient memories of the long ago when perhaps my ancestors wandered about the mountains of Kashmir and played in their snow and glaciers. I have had companions here but largely I have been left to myself, and I have grown a little contemplative, in defiance of heredity and family tradition and personal habit ! But that is a thin veneer which I am afraid will rub off at little provocation. How can the Ethiopian change his skin ?

(5 January, 1933)

### **TO S.M. ABDULLAH AND PREM NATH BAZAZ**

It is not necessary for you to invite me to my homeland, for the desire to go there is always present within me. It is 19 years now since I went there and often long to be back, but circumstances have been too much for me and have prevented me from doing so. In my Autobiography which has come out recently, I have mentioned my love for Kashmir and my desire to go there, but the bigger problems of India keep me tied to this part of India. Those problems, as you know, ultimately affect Kashmir also, for the fate of Kashmir is bound up with that



of the rest of India. If India is freed Kashmir will participate in that freedom. I cannot for a variety of reasons visit Kashmir in the near future much as I should like to do so.

I am very glad that you and other friends are trying to bring about unity amongst the Hindus and Mussalmans of Kashmir and spreading nationalistic ideas amongst them as well as the message of political, economic and social freedom. It is obvious to anyone who thinks that the real interests of the people are economic, and religious differences do not come in the way at all of a common political and economic front. It is terribly painful to compare the great beauty of Kashmir and its potential wealth with the terrible poverty of its people. Kashmir ought to be, and I hope will be, a land where the people can enjoy the real wealth of its soil and of its minerals and water power, and thus raise their standard of living very greatly and improve educationally, culturally and industrially. I wish you success in the work you are doing and through you I wish convey my hearty greetings to the people of my homeland.

(The Hindustan Times, 30 June, 1936)

**TO PREM NATH BAZAZ**

August 9, 1936

My dear Prem Nathji,

Your letter of the 15th July came here during my absence in Sind. I returned a few days ago after a long tour.

I appreciate your difficulties. To a greater or lesser extent we have to face similar difficulties everywhere. But we must stick to principles and try to look at the real problem. Any other course would be shortsighted and wanting in intellectual integrity. It would also be doomed to ultimate failure.



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I am glad to learn that a youth league has been started. I hope this will keep the long view before it and work for the full freedom of all people in the state—men as well as women. It is folly to imagine that a handful of middle class people will prosper for long if the whole foundation of the state rests on poverty-stricken masses.

You are at liberty to publish our correspondence if you so desire it.

Yours sincerely,  
Jawaharlal Nehru

(A.I.C.C. File No. 21/1936, p.99, N.M.M.L)

#### CONDITIONS IN KASHMIR STATE

I have only just seen a communique issued by the Jammu and Kashmir Government purporting to reply to certain remarks I made at Ludhiana. I had stated that notification 19-L was 'monstrous' and that it still functions. I am told it is not used in normal times and that it was not even used to put down serious communal disturbances. I entirely agree. It is not used for murderers, thieves, kidnappers, dacoits, brigands, cutthroats or other criminals and scoundrels who are tried by the ordinary law of the land. It has not been used for communal fanatics even when they stab and kill. But when political workers, desiring political change, raise their heads then it is used and has been barbarously used and presumably will be used, or else the Kashmir Government would not keep it on. A law functions so long as it is on the statute book. Notification 19-L is on the statute book and was used recently enough. The penal code provides for the punishment of hanging for murderers. It is not necessary for a continuous series of hangings to take place in order to demonstrate that the penal code is still functioning. I repeat that notification 19-L is a monstrous imposition. It is bad enough that a government should father



such a monstrosity, it is worse that it should have the temerity to justify it.

The Kashmir Government states that the civil resisters had forfeited all public sympathy. I cannot obviously speak from personal knowledge. But I should have thought that recent events proved the contrary. Seven members of the assembly were arrested because of their association with the agitation for responsible government. This led to seven vacancies and seven bye-elections. In every one of these bye-elections the party of the civil resisters won. In any event if the Kashmir Government is so certain of public support why not remove notification 19-L and put an end to the Seditious Meetings Act? Why not have a plebiscite?

(Statement to the press, Allahabad, 4 March 1939. The Leader, 7 March 1939.)

### **GREETINGS TO THE KASHMIR NATIONAL CONFERENCE**

I send greetings to your conference and trust that it will base itself on nationalism and help in bringing freedom to all people in Kashmir.

(Telegram to Sheikh Muhammad Abdullah, Bombay, 8 June 1939. All India States People's Conference File, 1939, p. 3., N.M.M.L.)

### **MESSAGE TO THE ALL JAMMU & KASHMIR NATIONAL CONFERENCE**

The Conference is meeting at a time of very great crisis in the world which will be reflected more and more in India. We cannot escape that crisis or ignore this revolutionary period of the world's history. I believe that the next few years will see vast changes in the political and economic structure of the world and of India. All of us, therefore, must appreciate the full



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significance of what is happening and fashion our activities accordingly. We cannot take just a narrow view of events because if we do so we shall fail to understand them. All the world is on the move and India must move with it, not separately or in isolation. India must attain her full freedom based on unity.

I send my greetings to the Jammu and Kashmir National Conference on the occasion of its session. I had hoped to visit Kashmir in the course of last summer, but events forced me to go to Ceylon and then to China. Very regretfully I had to give up my Kashmir visit this summer. But, as I have often said, I am continually drawn to Kashmir, and as soon as I am able to do so, I shall visit that beautiful country which it is a privilege for me to call especially my own.

I trust that Kashmir will play an honourable part in the events to come. I hope that the Conference will view all these events that are happening in true perspective so that the people of Kashmir may attain their freedom in the larger freedom of India. Above all, it is necessary for us to pull together whether we live in the Indian provinces or in the states, whether we are Hindus or Mussalmans or Sikhs or any others inhabiting this great country. I trust that under the able leadership of Mr. S.M. Abdullah all the people of Kashmir will work with courage and sobriety for the objective in view. I send my good wishes to the Conference and to the people of Kashmir.

(4 October 1939. The Hindustan Times, 8 October 1939.)

**TO GHULAM MOHAMED BAKSHI**

Allahabad  
December 3, 1939

My dear Bakshiji,



Niranjan Nath Raina has given us the lovely apples which you sent from Kashmir. They have been greatly appreciated and I am grateful to you for them.

Niranjan Nath tells me that you are under the impression that I have forgotten Kashmir. I am surprised to learn this. Surely you do me little credit if you think so. Kashmir occupies a warm corner in my heart, not only because of the personal associations, but because of my being intensely interested in the national freedom movement there. But you know how rapidly developments are taking place in India and the world and we have to be continuously on the alert. Every three weeks or so we have a meeting of the Congress Working Committee which lasts for a week and then there is very important other work. I want to tour about but am unable to find the time for it.

There is no place in India which calls me more than Kashmir. My desire to go there is far greater than yours to summon me. I shall come, have no doubt about it, but I cannot say now when this will be. Meanwhile all of us, wherever we may be, must keep alert and prepare for all eventualities.

With all good wishes to Sheikh Sahab and to other colleagues in Kashmir.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Correspondence, N.M.M.L.)

### THE MINORITY PROBLEM IN KASHMIR

In Kashmir, as in British India, there is a tug-of-war over the majority and minority question. In British India the majority is that of Hindus and in Kashmir, Muslims are in an overwhelming majority. Quite the reverse conditions prevail in Hyderabad. During my few days stay in Kashmir I have found



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the same fears and doubts entertained by the Hindu minority as the Muslims entertain in British India.

There is some truth in the doubts and fears, but the way in which the question has been magnified with government help is blocking the path of freedom. The enemies of India's freedom attach great importance to this question, and they want safeguards and weightages. After getting separate electorates, the minorities may feel that they have succeeded in getting more than their due, but they still remain minorities. Minorities can never be turned into majorities even with all the safeguards, but mistrust crops up.

A constituent assembly can alone solve India's problems; and the question has to be settled by different communities without reference to the third party. The only solution for Indian problems is that the communities should put their heads together and come to an agreement, or if they disagree, break their heads. No sane person will prefer the latter course; the only course, therefore, left open lies in the spirit of cooperation.

Big issues are facing India, the most important being freedom, on the face of which the problems of Kashmiris appear insignificant. Kashmiri Pandits form 5 per cent of Kashmir's population. Even if safeguards are given, they might get 10 per cent, but what security can be given in this revolutionary world? Kashmiri Pandits can go ahead by dint of their ability. During the fifty-five years of its existence the National Congress happened to be presided by Kashmiri Pandits for seven years, not because Kashmiri Pandits were given special protection but because they have a broad sphere of work. The struggle has been going on in Kashmir for some years, but the happenings of 1931 disturbed all patriots, and I decided to help the Kashmir movement if I could. There is a mass movement in Kashmir, and it is possible that the masses might commit mistakes, but they are never wrong. Mistakes can be mended



by cooperation. The masses here alike are ignorant, but we cannot shun them, they are the real India.

I will be leaving Kashmir shortly, but would like to go with the satisfaction that communal harmony will prevail and the mass movement will run on Congress lines. Beware of the machinations of the government, but at the same time I ask you to rise above service politics and work for the common good of the country.

(Speech at Srinagar, 3 June, 1940. The Hindustan Times, 4 June, 1940.)

### FAREWELL MESSAGE TO KASHMIR

I am grateful to all the organisations and individuals who did me the honour of welcoming me. I am especially grateful to Sheikh Muhammad Abdullah and the Kashmir National Conference whose guest I was privileged to be during my stay. Sheikh Abdullah has shown remarkable qualities of mass leadership and has combined them with the vision of a statesman. He has steered the bark of the people's movement from communal channels towards nationalism, in spite of opposition and difficulty, and has made of Kashmir a bulwark of our national movement. Kashmir is fortunate in having this brave and far-seeing leader.

To the Kashmiri Pandits I would make a special appeal, for I have claims on them as they have on me. Let them play a brave part in the mighty happenings of today and seek not a narrow protection which binds and restricts, but the joy of taking part in the great movements which are changing this old world of ours.

The old order changes and only those who are capable of adapting themselves to the new order have any future before them. The old orthodoxy is a chain that binds and prevents



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progress and it must go. The old questions and arguments and objections are dead today and are of no significance. Only the major questions that grip the world and India have real meaning.

To the solution of these and the establishment of an independent and united India and the liquidation of her poverty, let us all address ourselves. In this great game of life the women of Kashmir must play their full part.

Statement to the press, Lahore, 12 June 1940. National Herald, 13 June 1940.

TO SHEIKH MUHAMMAD ABDULLAH

Allahabad  
January 7, 1942

My dear Sheikh Abdullah,

I received your letter at Bardoli. But I have unfortunately misplaced it.

I was deeply grieved to learn of your brother's death. Of course you could not come to Bardoli for the Standing Committee meeting. I did not expect you to undertake this long journey at this time of the year, more especially after your bereavement.

I should of course like to meet you as there are so many things to discuss both in regard to Kashmir and larger questions relating to India.

Everything seems to be in a state of flux. The question of the states, important as it is, recedes somewhat in the background before the larger question of the whole of India. That larger question itself is governed by world developments. I suppose ultimately we all sink or swim together. More and



more I feel that we must not allow ourselves to lose sight of the really big questions and get entangled in smaller issues. The future is uncertain, but it is quite certain that we shall have to play our part in shaping that future. The real question before us therefore is that we should be ready and prepared to play that part.

The Standing Committee meeting discussed chiefly various administrative matters and internal difficulties that had arisen. No final decision has yet been taken.

With all good wishes to you and other friends in Kashmir.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Correspondence, N.M.M.L.)

**TO SHEIKH MUHAMMAD ABDULLAH**

Allahabad  
July 29, 1942

My dear Sheikh Sahab,

Thank you for your letter of the 22nd July. I am sorry you will not be able to come to Bombay for our Standing Committee meeting. I quite realise that the situation in Kashmir itself must demand your presence. But the all-India situation and the world situation is of a very critical character. You must have no doubt followed this. It seems inevitable that both in regard to India and the world far-reaching developments will take place. This will of course affect Kashmir also.

I have read with interest the resolutions of the Kashmir National Conference.

Indira and Feroze have been telling me all about their experience in Kashmir and of all your help and kindness to them.



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They fully enjoyed this. Of course they only saw a small part of Kashmir. One cannot exhaust Kashmir even after many visits. I hope they will go there again and I hope next time I may be with them.

With all good wishes to you and to our other friends.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Correspondence, N.M.M.L)

### ATTACK ON THE PEOPLE'S MOVEMENT

I have just learnt that Sheikh Mohammad Abdullah, President of the Jammu and Kashmir National Conference and Vice-President of the All India States People's Conference, was arrested yesterday afternoon by the Kashmir State authorities. At my request he was coming to Delhi for consultation. He was arrested on route at Ghari, 100 miles from Srinagar. I do not know the circumstances or ostensible reasons for his arrest, but it is obvious that this is a very serious matter both for the Kashmir State and for the States people's movement all over India. It is becoming increasingly evident that there is a general tendency in many States to attack the people's movement. Whether this is due to a desire to queer the pitch at the critical moment, or whether it is just the normal functioning of the State authorities, I do not know. I am convinced that this kind of thing cannot take place without the support and countenance of the Political Department and its agents. We know very well that in such matters it is the Resident who plays a dominant role. What has happened in Faridkot, I am told, has been done with the advice of the Resident or whatever he is called. It is perhaps as well that this question of the States' people and their rulers and the Political Department is thus brought to the forefront when we are discussing the future of India. A decision has to be made as to whose will prevails ultimately in the States. Is the Political Department to continue as



of old? Is the ruler also to continue in his old ways of irresponsible autocracy? What has happened to all the brave declarations made in the Chamber of Princes? What of the future when we are told India will be independent and the people's will will be supreme? Does anyone imagine that the States will continue as they have done with just minor changes in the facade? So far as the States' people are concerned and their organisation which I have the honour to represent, they will never agree to this. All talk of political changes based on the continuation of the States system in its old form is just empty and fruitless. In order to consider all these vital developments in the States a meeting of the general council of the All India States People's Conference has been convened for June 8, 9 and 10 in Delhi. That council, which represents all the major and minor States of India, will take full cognizance of these developments and will, no doubt, lay down its policy as to how to meet them.

(Statement to the press, Delhi 21 May, 1946, *The Hindustan Times*, 22 May, 1946)

### GRIM EVENTS IN KASHMIR

Both as the president of the All India States People's Conference and as a Kashmiri, I have been greatly troubled by the recent developments in Kashmir. I have said little about them so far, because I wanted more facts. My first impulse was to go to Kashmir, but I refrained from doing so till I had more information. I know that the kind of messages that we have been getting through press agencies are completely one-sided and unreliable. These press agencies only send out messages approved by the State authorities. I have now had a vivid account of the happenings in Kashmir from Bakshi Ghulam Mohammad and Mr. Dwarka Nath Kachru who have recently arrived here. They will be issuing statements themselves, and so I need not repeat what they are going to say.



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Many questions have been put to me about the new orientation given to the popular agitation in Kashmir with the demand for "Quit Kashmir" based on the Amritsar Treaty. It has been, and is, the policy of the All India States People's Conference to demand full responsible government in all the States under the aegis of the ruler who is to act as a constitutional head of the State. That has also been the policy of the Kashmir National Conference of which Sheikh Mohammad Abdullah is the president and leader.

During the last few months, however, the State authorities have been pursuing a policy of direct hostility to the popular movement in Kashmir and trying to disrupt it by various undesirable methods, including encouragement of the communal issue.

The position of the popular Minister there, Mirza Afzal Baig, became impossible and he had to resign. Subsequently, in defiance of their own rules, they appointed another person, who was till then also a member of the Kashmir National Conference, as Minister. This was the result of a secret intrigue about which no one knew.

There was considerable resentment at these tactics of the State authorities and feeling against them grew. Evidently, they were bent upon creating trouble and many weeks ago they started bringing in the State army to the valley and distributing it at various strategic points.

Some weeks ago a committee of the National Conference sent a memorandum to the Cabinet delegation raising the question of the Amritsar Treaty and demanding that this treaty be abrogated and Kashmir be ruled by the people of the State. This new policy reflected the growing tension in the State and the rising temper of the people against the State administration. There were many charges also of corruption and nepotism in the State administration. The new policy had not been en-



dorsed by the National Conference or its executive. Normally it would have been considered by that executive on the 26th of this month.

But, meanwhile, events marched ahead. Sheikh Mohammad Abdullah spoke publicly about this new policy. Personally, I think that it was unfortunate that a marked variation in the policy both of the All India States People's Conference as well as of the Kashmir National Conference should have been made without the full consideration of the respective bodies. But I recognise the feeling which gave rise to this policy in Kashmir and the total ineptitude of the State authorities which gave rise to that feeling.

I should like to make it clear that the policy of the All India States People's Conference remains what it was — that of responsible government under the aegis of the rulers. Indeed no one can change it except the Conference itself.

But events in Kashmir, as also happenings elsewhere in the States, are repeatedly bringing this issue before the people of the States and it is possible that unless quick changes towards responsible government take place in the States, the rulers may no longer be welcome even as constitutional heads. There is a great deal of talk of dynastic rights and privileges, but no dynasty or individual can claim to override the fundamental rights of the people. If the rulers remain, they can only do so by the goodwill and desire of their own people, and not by compulsion of external or any other authority. Sovereignty will have to reside in the people and what follows will thus necessarily be according to the wishes of the people.

I am not interested in the legal implications of the Amritsar Treaty or any other treaty. I am interested primarily in the good of the people and their right to decide for themselves what their government should be.



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While, therefore, I think it regrettable that the issue of the ruler continuing or not was raised in Kashmir at this stage without reference to the organisation concerned, I must make it clear that it is open to any individual or group to raise that issue, if it chooses to do so on its own responsibility. If this is done in a peaceful way, no State has a right to suppress it.

What happened in Kashmir clearly demonstrates the desire of the State authorities to avail themselves of any pretext to crush the popular movement. I have requested Sheikh Mohammad Abdullah to come to Delhi for consultation. At a public meeting in Srinagar he announced this fact and said that he was going to Delhi within a few days. He further directed that no public meeting or agitation should take place during his absence from Kashmir. It was clear that he wished to discuss the whole situation with me before taking any other step.

Three days later he was on his way from Srinagar to Rawalpindi when he was arrested and about the same time a large number of his colleagues both Muslim and Hindu, were arrested at various places in Kashmir.

The whole of the valley was handed over to military administration. The police, being Kashmiris, were withdrawn. A reign of terrorism and frightfulness then began. Kashmir has practically been cut off from the outside world since then and martial law prevails there. There have been conflicts with crowds and firing on numerous occasions. My information is that far more people than officially admitted have been killed. A much larger number who were wounded were sent to jails instead of hospitals. Srinagar is almost a city of the dead where movement is difficult and large numbers of people are practically interned in their own houses, apart from the many hundreds who have been put in prison. Clashes occur daily and even women have been shot down. But what is far worse is the deliberate attempt, reminiscent of martial law days in the Punjab in 1919, to humiliate human beings. I understand that



people are made to crawl in some of the streets, that sometimes they are made to take off their turbans to clean the streets and pavements, that they are made to shout at the point of the bayonet "Maharaj Ki Jai". Dead bodies are not handed to the relatives for burial according to religious rites, but are soaked in petrol and burnt. The mosques, including their inner shrines, have been occupied by the military. A wall of the Jama Masjid of Srinagar has been knocked down to make a passage for military lorries. A dangerous feature of the situation is the deliberate attempt to foment communal trouble.

All this, and very much more, is happening in Kashmir today. It passes one's comprehension how any Indian officials could behave in this barbarous and inhuman way to their fellow countrymen.

But humanity apart, surely there could be no more effective method to make the position of the ruler intolerable to his people. The military forces under their British officers may, for the moment, succeed in shooting and killing and overawing the people of Kashmir. How long will they do that and what will be the results? Are they going to make the people loyal to the Maharaja at the point of the bayonet? That is not the way human beings function and that certainly is not the way the Kashmiri is going to function.

What part the Maharaja has in this sorry business, I do not know. But undoubtedly he will have to suffer for the policy of his administration. In any event the Ministers of the Maharaja must shoulder this responsibility and they will have to answer for this before not only the people of Kashmir, but public opinion in India. What again is the part of the Resident and the Political Department in this business? They too will have to make it clear where they stand in this matter.

Whatever the rights and wrongs of any policy, there are certain limits beyond which no government dare go, except at



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its peril. The Kashmir Government has gone beyond these limits in its desire to crush a popular movement which is firmly established in the hearts of the Kashmiris.

Everyone who knows Kashmir knows also the position of Sheikh Mohammad Abdullah there. He is the Sher-e-Kashmir, beloved of the remotest valleys of Kashmir. Numerous legends and popular songs have grown around his personality. He has been, and is, one of my most valued colleagues in the States people's movement, whose advice has been sought in all important matters.

Does anybody think that we are going to desert him or his comrades in Kashmir because the Kashmir State authorities have got a few guns at their disposal? We shall stand by the people of Kashmir and their leaders in this heavy trial that they are going through.

If they have erred in any matter, we shall tell them so frankly, but for the moment their blood is being shed in that lovely and fertile valley and all talk of legal niceties is quibbling. The fate of nations, when passions are aroused, is not decided by lawyers' arguments.

Kashmir by itself is important, but this issue obviously affects all the States in India and it is for all of them to consider its significance, more specially at this time when we are supposed to be hammering out the future of India. It is a bad sign at this particular moment for the blood of a people to be shed and for State authorities to display their military might in repressing their own people. The talks that we are having about India's future become pale and shadowy before this grim reality. Things have gone far in Kashmir, perhaps too far already. Yet they might grow worse. It is up to everyone concerned with Kashmir or with the States generally to try his utmost to cry halt to this. The Kashmir State authorities should



also give thought to the inevitable consequences of their actions.

I have postponed my visit to Kashmir for the present, because I was not quite sure that I could render effective help at this stage. I want to help, as far as I can, in ending this terribly bitter conflict and the moment I feel that I can be of such help I shall go.

Meanwhile, I would appeal to all concerned, especially the newspapers, to avoid giving a communal turn to what is happening in Kashmir. I have noticed with deep regret some highly intemperate articles in the Lahore press. It has been the policy of the State authorities to encourage communal troubles. We must not fall into this trap.

To the State authorities I would say that their actions are bringing grave discredit on their name and no government can live with that disgrace attached to it. The world still remembers Amritsar and Jallianwala Bagh. Are we to have yet another gruesome memory to pursue us in the days to come?

Let there be an end of all this and a calm consideration of the issues at stake. They will require all the wisdom and forbearance that we may possess.

(Statement to the press, Delhi, 26 May, 1946. National Herald, 27 May, 1946.)

### **SOLIDARITY WITH THE PEOPLE OF KASHMIR**

In view of the serious situation in Kashmir and all that is happening there I call upon the States people's organisation, its regional councils, praja mandals, lok parishads, State Congress and the like to express their sympathy with the people of Kashmir and to offer to help them in such ways as they can. I suggest that meetings might be held to this end on Sunday next, June 2nd. If it is more convenient for any local organisation,



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another suitable date might be chosen. At these meetings not only should a full expression of solidarity with the people of Kashmir be made, but the demand for full responsible government in every State should be reiterated. The time has gone by for half-measures. Collections should be made for the relief of sufferers in Kashmir and these collections should be sent to Shri Kamalnayan Bajaj, Treasurer, All India States People's Conference, C/o Bajaj and Company, 51 Mahatma Gandhi Road, Bombay. It may be necessary later to enroll volunteers for special service in connection with Kashmir. For the moment we must watch developments but we must be ready for all emergencies.

(Statement to the press, Delhi, 28 May, 1946. The Hindustan Times, 29 May 1946.)

### DEMAND FOR AN INQUIRY

Kashmir affords a notable illustration of how things must not be done. So long as there was some attempt at cooperation between the State administration and the National Conference, unsatisfactory as this was, there was no possibility of trouble. The moment this policy was reversed on the part of the State the situation underwent a progressive change for the worse.

When and how this occurred, Prime Minister Kak, in a press interview, has stated : "We have been preparing for it for 11 months and now we are ready to meet the challenge. There will be no more vacillation and no weak-kneed policy. We shall be ruthlessly firm and we make no apology about it".

It is interesting to remember that Mr. Kak became Prime Minister just about 11 months ago. Previously there had been a succession of other Prime Ministers. Gradually each was pushed out from the picture till Mr. Kak emerged as Prime Minister and supported this new policy.



I was in Kashmir in July-August last, soon after Mr. Kak had become Prime Minister. Already one noticed the beginnings of this new policy although the National Conference was still cooperating with the Government and one of its men was a Minister. The poor Minister had a hard time of it and ultimately resigned. One can understand easily enough, after Mr. Kak's statement, why that Minister should have had this difficult time, for the new Prime Minister was deliberately preparing to fight and crush ruthlessly, and without apology, the Kashmir National Conference.

Obviously, a Minister from that Conference could not fit in with this policy and had to go. In fact, the conditions that were created made it impossible for any honourable person to remain as Minister as they made it impossible for any popular organisation; like the National Conference, to continue to offer its cooperation to the State authorities.

Every recent development is explained by this frank admission of the Kashmir Prime Minister. He was out for trouble and he has got it, relying on his army and making careful military preparations for his grand coup. These included the transport of Kashmir troops by air from the Middle East.

During my stay in Kashmir last year, I found that the National Conference went more towards cooperation with the authorities than most other popular organisations in the States. In spite of this, they were treated in a shabby manner and I do charge the Prime Minister with deliberately encouraging factionalism and communalism so as to weaken the National Conference. Later, when the question of Mirza Afzal Baig's resignation arose, Sheikh Mohammad Abdullah refused to take any precipitate action.

Twice in the course of a month, he consulted me showing me all the correspondence on the subject. I agreed with him ultimately that there was no other course open but for Mirza Sahib to resign. While we pondered and considered and



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hesitated, Prime Minister Kak went ahead with his military and other preparations.

I am astonished that with this knowledge anyone should have the effrontery to say that Sheikh Abdullah or the National Conference precipitated a crisis. The big mistake they made was not to realise what the State policy was and continue to offer their cooperation for so long. It was only during the last few days that this realisation fully dawned upon them and they began to think in terms of self-defence.

I have seen reports of one of the last speeches delivered by Sheikh Abdullah in Srinagar before his arrest. Even at that stage he said that he would accept responsible government under the aegis of the ruler provided that the ruler was only a constitutional head. The fact of the matter is that the Kashmir State organisation from the Prime Minister downwards has irritated the people of Kashmir beyond measure.

Nothing moves in Kashmir and it is heart-breaking to see that paradise on earth running to waste because of incompetence. Serious charges are made against the administration. The Maharaja, who, to begin with, kept above local politics, has apparently given a blank cheque to the present Prime Minister, and inevitably the feeling against the Prime Minister and others extends itself now to the Maharaja also, for ultimately he is responsible.

He has not only kept aloof from his people completely, but even his Ministers could not approach him easily. Apparently his sole contact with the outside world is Prime Minister Kak.

Mr. Kak has stated that he would welcome my visit to Kashmir. Certainly I shall go there when the time comes, but when I go there my first object must be to see and consult Sheikh Mohammad Abdullah and other leaders of the National Conference. Is Mr. Kak going to give me full facilities for this purpose? Is he going also to agree to a full and impartial in-



quiry into all the matters that have happened during the last few weeks, including, of course, the ruthless policy of which he is so enamoured ?

If he is so pleased with his own activities he should not be afraid of an inquiry into them. Mr. Kak has taken full responsibility for his policy. Let him justify it, therefore, before an impartial tribunal. It is no small matter to prepare for eleven long months for an attack on a popular organisation and then to hand over the State to a military administration with all the consequences that this entails.

Mr. Kak, when he talks about being ruthlessly firm, talks a language which no statesman or one responsible for the fate of human beings can indulge in. His very language condemns him and his policy. Blimps have ceased to exercise control in most countries. It is the unfortunate fate of Kashmir today to be in charge of Blimps.

Mr. Kak has raised issues in Kashmir of the most vital importance to all those interested in the States. In a sense, I welcome the enunciation of his policy, for that will mean a clearer decision when the time comes for a final decision, and that cannot be long delayed in Kashmir or in any other State. There has been too much talk of long periods of preparation for the States to bring them up to the common level. People will have to hurry up now, for events are marching swiftly to their predestined end.

(Statement to the press, Delhi, 28 May, 1946. The Hindustan Times, 29 May, 1946.)

### **TELEGRAM TO THE PRIME MINISTER OF KASHMIR**

Press reports indicate trial of Sheikh Abdullah and others. I desire to organise proper defence. I request I may be given full facilities for this.

(28 May 1946. National Herald, 4 June 1946.)



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### THE FUTILITY OF REPRESSION

The situation in Kashmir should improve, and it is possible only if the State authorities withdraw their repressive policy. The people should control themselves, and suspend the movement but not under the repression of the State administration.

I feel that there are some tactical mistakes in the Kashmir movement which gave a chance to the State authorities to blame the people. In my opinion, movements in the States should not be started unless the people are sufficiently strong. States movements have not reached a mature stage. At the same time, the people should not tolerate for a single moment any attack on their liberty. If we want to get rid of the rulers, we have to oppose them with full force. We should be prepared fully to launch a movement.

The 1942 movement is one of the biggest movements, which shook the whole of India, from one end of the country to the other. Even such a powerful movement, which had the backing of the entire people, was curbed by ruthless repression. Yet the people emerged much stronger.

The map of new India is being redrawn. We are on the verge of big changes and the States also have to change. I am not sorry for issuing two statements on Kashmir about a fortnight ago.

(Speech at All India, states People's Conference, Delhi, 11 June, 1946. The Hindustan Times, 12 June, 1946)

### A GOVERNMENT HOSTILE TO THE PEOPLE

I have refrained from saying much about the Kashmir situation since I issued my last statement. The matter is much too serious and grave for an argument to be carried on in the press. It was my desire not to say anything which might worsen the situation. My mind and thoughts, however, have been



occupied with this situation, and I have tried to think of what should be done to improve it. I waited for the meeting of the general council of the States People's Conference, and I also gathered as much information about the events there as I could.

The general council has passed a comprehensive resolution which I commend to the public. This resolution was carefully drafted and represents our joint opinion on this subject.

I find that my concluding remarks at the general council meeting have not been correctly reported or understood. This is an additional reason why I should make myself clear in regard to Kashmir.

The Kashmir authorities denied almost totally many of the statements of events that I had made previously. I have now considered carefully a large number of reports coming in the press, as well as from individuals and eyewitnesses in Kashmir. I have also met deputations, some officially inspired and putting out the official viewpoint, and others representing another viewpoint. Entirely contradictory reports have been given to me about the events that had happened. Obviously, a searching inquiry is necessary to know the truth.

For my part, I believe that, during the first few days following the arrest of Sheikh Abdullah, the military behaved very badly, and many of the allegations against them are true, or have a strong basis of fact. Later, much of this was stopped by the Government. It is clear that one cannot hold the Government directly responsible for every act of the soldiery. What the Government is directly responsible for is the use of the military on this scale, and when this is done other consequences normally follow.

I should like to correct the two incidents I mentioned. I have enough information which can substantiate them, and I regret that I gave publicity to them without sufficient proof.



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These two allegations are the burning of bodies of persons killed and the breaking down of a compound wall of the Jama Masjid. Very probably, the deaths due to firing were much more than those admitted in the official communique.

How all these bodies were disposed of, I cannot say without much greater proof than I possess. As regards the allegation about the wall of the Jama Masjid, it appears that there is a wooden gate and a military lorry passing through accidentally dislodged some bricks of a column. This may have given rise to the story. Anyhow I am sorry that I stated something which was not correct.

These are relatively minor matters. The major thing is the nature of the action taken by the Kashmir Government from the arrest of Sheikh Abdullah onwards. I have no doubt that the arrest was wholly uncalled for the unwise, and the subsequent action taken through the military was extraordinarily provocative. It has amazed me how anyone placed in a responsible position can make the statements made by the Prime Minister of Kashmir. Those statements threw more light on the background of the situation than anything else that I know. He had charged me with being a partisan. He is perfectly right in doing so, for I am a partisan of the people of Kashmir, and I intend to stand by them, whatever the future may unfold.

The question is, on whose side is the Government of Kashmir, on the people's side, or against them? Recent events would indicate that it considers the people of Kashmir as enemies. If a government functions in this way, it forfeits all confidence and lays the seeds of trouble.

I do not wish to enter into any argument because it is my earnest desire to help in solving this complex situation. Obviously, this is important not only from the point of view of Kashmir, but of all the States as well as the whole of India.



Events today act and react on each other. The people of the States everywhere are closely watching, with the deepest sympathy, the happenings in Kashmir. As our resolution has shown, we must and will stand by the people there, and yet we would much prefer ending the present trouble. If, unfortunately, the authorities continue in the course of repressive action, the natural consequence will be for the people to oppose and resist this action.

I find that all kinds of stories are prevalent about Communist action in Kashmir, and the example of Azerbaijan is cited. A few Communists have undoubtedly functioned in Kashmir, but it is absurd to think that this movement is due to them. It is still more absurd to bring in Azerbaijan. So far as I am concerned, I do not agree with many aspects of the Communist policy in India, and it is for this reason that in the National Congress we have parted company with them. I should imagine that the policy of the Kashmir Government is more likely to encourage Communist activity than any other policy.

The fact is that Kashmir, which is not only beautiful, but wealthy in the real sense of the term, with enormous resources, potential power, and with some of the finest artisans and craftsmen in the world, is a country of appalling poverty. The fact is that nothing happens in Kashmir to redeem this poverty, and raise the level of the masses. Out of this degradation and suffering, a powerful people's movement has grown. This movement is essentially national in its outlook, though sometimes communal elements have played a part in it. It is not anti-Hindu, anti-Sikh, or anti-anything. The only way to deal with this movement is with friendship and cooperation, and with active steps to relieve the burden of poverty. It cannot be suppressed.

I have, unfortunately, been tied up here with important consultations, and have been unable to go to Kashmir. But Kashmir fills my mind, and I shall go there as soon as I can.



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To the Government of Kashmir, I would say : "You have erred grievously in many things, but there is yet time to remedy at least some of the errors. It is never wrong for a government to retrace a step, which has brought trouble in its train. To persist in error is not strength." To the people of Kashmir I would, first of all, extend my deepest sympathy for all they have suffered, and are at present suffering, and my assurance that I shall do my utmost for their peace and advancement.

To the minorities there, I should like to say that their future must inevitably lie in cooperation with the majority. They do a disservice to themselves and to Kashmir by isolating themselves. They have every right to live the life of their choice within the structure of freedom which Kashmir must necessarily evolve. They have every reason to stand by their legitimate rights. But it is not a legitimate right to come in the way of the advance of the people as a whole or to claim special privileges which are at the expense of others. So far as I can see, these minorities will have an honourable position in Kashmir, but that position will never be gained by hostility to others, and the propagation of communal hatred.

Let everyone in Kashmir look at the problem in relation to what is happening in India and the world. That is the only true perspective. Governments come and go, but the people remain. It is the people who should count in the end and who make and unmake governments. Therefore it is only from the people's point of view that any real solution can be sought.

Sheikh Abdullah is at present in prison with many of his colleagues. This fact alone is a continuous provocation to many. If that provocation is removed, I am sure peace will come soon enough. For my part, I am not in the habit of giving up a cause I have espoused, or a comrade when he is in trouble. I shall stand by the cause of the people of Kashmir and of Sheikh Abdullah, who is their acknowledged leader, and I shall do everything to advance that cause. That means no



hostility to any other group, rather it means the good of all who are connected with Kashmir.

(Statement to the press, Delhi, 12 June, 1946. The Hindustan Times, 13 June, 1946)

### **TELEGRAM TO THE MAHARAJA OF KASHMIR**

I am reaching srinagar on June 19 with lawyers for Sheikh Abdullah's trial. I still hope that in the interests of all concerned the trials will be given up and Sheikh Abdullah and his colleagues released. Such a step will lead to peaceful consideration of the grave problems confronting Kashmir. I would gladly help in the task and can meet you for the purpose, if you so desire.

Jawaharlal Nehru  
(14 June, 1946. The Hindustan Times, 24 June, 1946)

### **TO THE MAHARAJA OF KASHMIR**

16 June, 1946

My dear Maharaja Saheb,

The day before yesterday I sent you a telegram to the following effect ... I hope to reach Srinagar together with Mr. Asaf Ali, Dewan Chaman Lal and Mr. Baldev Sahai, ex-Advocate General of Bihar, in the evening of June 19 by car from Rawalpindi. The immediate object of our going there is to arrange for Sheikh Mohammad Abdullah's defence in the trial that has been fixed for June 21.

I am much more concerned, however, as I have no doubt you are also, with the general situation in Kashmir of which this trial is only a part. I should very much like to be of some help in the solution of problems that have arisen there. My main object in coming is to endeavour to do so. I want, as you



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must also desire, peace and development in Kashmir State. I feel, however, that it will not be possible to return to normality and peace unless these trials are withdrawn and Sheikh Abdullah and his colleagues are released. Naturally, the present agitation that is still continuing in some form or other in Kashmir should also be stopped at the same time. This action will result in a proper and peaceful consideration of the various problems which those interested in Kashmir have to face.

I have, therefore, requested you in my telegram, and I would like to repeat the request here, that Sheikh Abdullah and others be released. As you are no doubt aware, Sheikh Abdullah and others be released. As you are no doubt aware, Sheikh Abdullah was on his way to consult me here in Delhi, when he was arrested. As soon as he is released, we can confer together and endeavour to devise means, which would lead to a proper settlement.

The problem of Kashmir is important enough by itself, and some of us are intensely interested in it. In the present moment, however, it has an additional importance in the whole context of the Indian States. The constituent assembly is likely to come into being soon, and each State and, more especially, the major States will have to consider their representation in this assembly. You are, I presume, aware of the popular demand put forward both by the Indian National Congress and the All India States People's Conference that representation in the constituent assembly should be by means of representatives elected by the people. All these and similar problems have to be faced very soon. It is obvious that the difficulty inherent in these problems will be greatly increased if the situation in Kashmir is abnormal, and the State is in conflict with the popular organisation there. Therefore, in the interest of the State authorities as well as of the people, a rapid return to normality is eminently desirable.



It is very difficult for me at this delicate stage of negotiations with the British Cabinet delegation to leave Delhi even for a day. But I am so greatly interested in doing something for Kashmir that I have decided to leave Delhi and to try my best to help in finding a solution. The solution would be easy enough, if you and your Government also desire it. I have suggested, in my telegram, that I would gladly meet you to discuss these matters if you so desire. My visit to Srinagar on this occasion will necessarily be brief, as I have to come back as soon as possible to Delhi for talks with the cabinet delegation and the Viceroy. But even during this visit, it may be possible to lay the foundations of a settlement. If necessary, I can return to Srinagar a little later for further conversations.

I am asking my colleague, Mr. Dwarka Nath Kachru, to take this letter so that you may get it before my arrival in Srinagar, and be acquainted more fully with my approach to this problem. I hope that my impending brief visit to Kashmir will yield results, which will be satisfactory to all parties concerned.

Yours sincerely,  
Jawaharlal Nehru  
(National Herald,  
24 June, 1946)

#### TELEGRAM TO THE MAHARAJA OF KASHMIR

17 June, 1946

Received your telegram. I am surprised to learn that you consider my visit will lead to complications. I am going to Kashmir to help in putting an end to complications already existing and easing the unfortunate situation which has already lasted too long. As such, the State authorities should welcome my visit and give all facilities. Isolation and avoidance of personal contacts lead to unnecessary difficulties; hence my desire



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to study the situation for myself and meet you. I have sent a letter to you by messenger.

Jawaharlal Nehru  
(National Herald, 24 June, 1946.)

### THE PURPOSE OF THE VISIT

The purpose of my visit to Kashmir is three-fold : I am going to Kashmir to arrange for the defence of Sheikh Abdullah, secondly, to see things for myself, although my visit to Srinagar will be a brief one, and thirdly, to do all I can to put an end to the complications arising from the policy of the Kashmir Government.

Question : How would you react if the Kashmir State bans your entry ?

Jawaharlal Nehru : Let me have a little rest. There can be no peace in Kashmir unless Sheikh Abdullah is released.

Q: Would you comment on the report that there are two groups in the Working Committee — one in favour of accepting the Cabinet Mission's proposals in a spirit of trial and the other standing out for amendments ?

JN : Such a speculation is absurd as there is bound to be some diversity of opinion when 12 persons are having important discussions.

Q : What is your comment on the press report that Gandhiji who holds certain views regarding the Cabinet Mission's proposals might cease to act as adviser to the Congress ?

JN : Your question deserves no reply.

(Interview to the press at Lahore. National Herald, 20 June, 1946)



## AT THE BORDER OF THE STATE

Jawaharlal Nehru : My patience has been exhausted by waiting at the customs house for three hours. I have torn down such orders before, and will ignore it now. Nobody has ever dared to check my movements. I will enter Srinagar, though it may take me weeks. I will not go back. I do not recognise the authority issuing such an order and I am not bound by it. I am already in Kashmir territory and have actually defied your orders. The only course open to you is to remove me forcibly by arresting me. I do not recognise your Government and will not obey the State's orders.

District Magistrate : How would you like your order being disobeyed when you join the Government ?

JN : That will be a popular government depending on the nation, quite different from the Government you represent. Yours is a tyrannical government. It is misbehaving.

DM : I might have to resort to firing, if the situation gets out of hand.

JN : I do not mind a few people being killed as it would only give further impetus to my mission in Kashmir. My duty is in Kashmir. The Viceroy and my colleagues in the Congress Working Committee urged me to remain in Delhi where important negotiations are being held. I plainly told them that my place was in Kashmir. The Kashmir State authorities probably do not realise that they are dealing with the President-elect of the Indian National Congress. I know no going back.

(The Hindustan Times, 21 June, 1946.)

TO KISHAN DAR

20 June, 1946

Dear Mr. Dar,



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As you are aware our party was proceeding to Srinagar in connection with the trial of Sheikh Mohammad Abdullah which is fixed for tomorrow there. Mr. Asaf Ali and Dewan Chaman Lal were to appear as counsel for the defence. Several days ago an application was presented to the Chief Justice of Kashmir for permission for them to appear in this case. I was proceeding to Srinagar with a view to advising my colleagues in regard to the conduct of the case.

Yesterday afternoon at Kohala you served an order on me under the Defence of Kashmir Rules, which I considered wholly unjustifiable, asking me to leave Kashmir territory immediately and not to return to it without written permission. I told you then that I was unable to carry out these directions. I had come to help in the defence of Sheikh Abdullah's case and I did not propose to go back without going to Srinagar for this purpose. It was open to you forcibly to prevent me from proceeding further or to take me out of Kashmir State territory. As a matter of fact my remaining in that territory was in itself a disobedience of the order served upon me.

I had no desire to put additional difficulties in your way and hence I waited at Kohala for five hours in order to give you time to communicate with your superior authorities. As, however, no special directions came for you or were communicated to us, I started walking in the direction of Domel accompanied by my colleagues. An attempt was made to stop us, but gradually we advanced about two or three hundred yards. We then had another talk with you and put it to you that you should either arrest us or allow us to proceed. You were prepared to do neither. You did arrest, however, my colleague Pandit Dwarkanath Kachru, though it was not clear to me how his case differed from that of the others. In regard to all the others, excepting myself, you said that they were free to go ahead.



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Somewhat later we gathered that you had gone to Domel, and the police and military, who were barring our way, had been removed. It was late at night then and we also proceeded to the Domel dak bungalow where we spent the night.

I should like to know what the position is in regard to me and my colleagues. Mr. Asaf Ali and Dewan Chaman Lal propose to go to Srinagar to confer in Sheikh Abdullah's case with other lawyers and with Sheikh Saheb himself. As the case is fixed for tomorrow it is necessary for this conference to take place today at the latest. They have been told, however, by you that they cannot go to Srinagar or indeed leave Domel. They have further been told by you that they as well as all the other members of the party may consider themselves technically under arrest. Thus, I presume, I am also under arrest.

I should like to be perfectly clear about this matter. Am I at the present moment under arrest ? Are Mr. Asaf Ali and Dewan Chaman Lal under arrest, and are the other members of the party also under arrest ? Obviously, we have to consider our own course of action and before we do so we should be told definitely how matters stand. I should like an answer in writing so that there might be no misapprehension.

In particular I should like you to appreciate that Messrs. Asaf Ali and Chaman Lal are to appear as counsel in Sheikh Abdullah's case and preventing them from proceeding to Srinagar today will be interfering with the arrangements for the defence.

I am for the moment staying on here in Domel dak bungalow awaiting your reply to this letter.

Yours sincerely,  
Jawaharlal Nehru

(A. I.-C. C. File No. G-16, 1946-48 pp. 18-19. N.M.M.L.)



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TO PADMAJA NAIDU

Domel  
June 20, 1946  
9 p.m.

Bebbee dear,

I am resting by the side of the river Jhelum. It is an agreeable enough spot, though I wish it was not quite so warm in the day time. The night was cool and pleasant. Domel — the junction of two rivers, the Jhelum and the Kishanganga. The Jhelum is the bigger and full of muddy water. This morning it was dark red, probably because of heavy rain above and the nature of the rocks through which it passes. The Kishanganga is crystal clear. Unfortunately we cannot reach the Kishanganga as it is on the other side. There is a legend that when Noor Jahan arrived here once with Jahangir, she was tired and her eyes were full of dust and smarting. She washed them in the waters of the Kishanganga and she felt so refreshed that she called the river Nainsukh — the delight of the eyes.

So here I am. I have passed this place many times, stopping here for a meal, but ever since the advent of the motor age I have not spent a night here. Now perhaps we may have to spend many nights for we are supposed to be detenus (or is it detenues ? ). Asaf Ali and Chaman Lal were with me till this afternoon. They managed to get permission as lawyers to proceed to Srinagar. Now there is Mohammad Yunus, an I.N.A. officer, Mathai, Hari, and a newspaper correspondent. Apparently we are all detenus for the moment.

I am told that there are vague rumours to the effect that I was injured last evening. This is not true. No one was injured, though Chaman Lal complained today of pains in the body. And yet it is easy enough to get injured when bayonets are at hand. One particular bayonet, held by an excited and panic-



stricken soldier, was very near me. The armed police also loaded their guns for emergencies and when people are panicky, loaded guns might well go off. As a matter of fact no such accident happened and we are all safe and sound of limb and body, rather the better for the adventure. Anyway I am, for I was feeling oppressed and unhappy at recent developments in Delhi — the gradual, inexorable closing in of a net — a sense of being tied hand and foot and strangled. I feel that at least I have put my head out of the net for a while and breathed more freely. That is something gained.

I fear that many of my colleagues as well as others will not be too pleased with me for creating complications. I did not deliberately do so, but i think it is true that at the back of my mind there was a faint hope that the Government will be stupid enough to create a situation to my liking. That hope was realised. Also that this business would give a touch of reality to our long-drawn out talks. It is not the Maharaja of Kashmir alone who would profit by it, but all rulers of States, and the Viceroy, and many others.

Yet it is odd enough. Here people are talking in terms of a provisional government of which they expect me to be a member. And here I am behaving as a reckless agitator of old needlessly, so they will say, upsetting everybody's apple cart. Sometimes such an upset is good. So I think.

As I was writing this the District Magistrate (who is also Governor of Kashmir) came and told me that the head of the Kashmir army, a fellow named General Scott, has visited him here and is very worried and panicky. He expects numerous jathas from the Punjab to invade this place. He is also not sure about me — I might run away. So he suggests that I might be moved further up the valley. I have told him that I have no objection at all to this. The nearer I am taken to Srinagar the better, for Srinagar is my present goal and I do not propose to go back till I have reached it. So I await further orders.



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The District Magistrate happens to be distantly related to me. His son has married the daughter of a first cousin of mine—rather a nice girl. He, the D.M., has had a bad time at this job. And yet perhaps he saved the situation from deteriorating. A slight error in judgment might well have led to a minor disaster.

We were stopped at Kohala yesterday afternoon. That is where the State boundary begins. For five hours we waited there patiently for further instructions from Srinagar. A number of people had been brought on 3 lorries from Srinagar & neighbourhood with black flags to shout 'Go Back Jawaharlal'. There were Muslims (of the Muslim Conference) some Kashmiri Pandits & others. They were obviously brought by the state people and some of them confessed to having been paid a rupee or 2 rupees for the day. They stopped shouting at a gesture from a police officer. They shouted on one side — on the other, a small crowd collected, reinforced by a lorry load of stout Punjabis from Murree, and these people outshouted the others. Give me the Punjabi any day in a competition of shouting slogans. He has a perfect genius for inventing new slogans on the spot. So for many hours we had shouting and singing of national songs. Of course there were plenty of offensive epithets for the black flaggers. "Bhare ke tatttu, hai, hai." Some school boys from a neighbouring national school enlivened the proceedings by their singing.

After five hours of waiting I got rather fed up and decided to do something. So after due notice we started walking in the direction of Srinagar. We were stopped by the armed police (or soldiers ?). Some had bayonets, some had lathis, some guns. We slowly pushed through them. They tried of course to stop us—we were about two or three dozen. But most of them were not inclined to use their lathis. But they pushed their bayonets threateningly and it was just chance that no one was hurt. The order to load guns was given by a police officer. But the D.M. kept cool, though he was agitated enough. Gradually it all be-



came a kind of procession with the police marching along ahead of us and surrounding us. We went about 200 or 300 yards and then stopped for a parley.

Meanwhile, the black-flags seeing us on the march fled precipitately stumbling in the process. Later some of them came to us and apologised privately.

It was 9 p.m. Somebody had arranged for food for us. We spread a durree in the middle of the road and had a good feed. The D.M. came to the conclusion that it was no good for him and for us to spend the night on the road. He hinted that we could go to the next dak bungalow, 21 miles further up towards Srinagar. He removed his police and we motored up to Domel where we spent the night. And here we are still. I am waiting for further developments. Can we go further up or not ?

Love

Jawahar

The sound of running water is very pleasant and soothing.  
The Jhelum is just below the dak bungalow.

(Padmaja Naidu Papers, N.M.M.L.)

### TELEGRAM TO ABUL KALAM AZAD

Your message conveyed to me, also news postponement Sheikh Abdullah's trial to July 1. In view grave discourtesy offered to me by Kashmir Government in spite my friendly approaches, deeply regret wholly unable return until full liberty of movement, including visit to Srinagar, accorded to me. Request Working Committee proceed without me.

Jawaharlal

(21 June 1946. J.N. Correspondence, N.M.M.L.)



### TELEGRAM TO ABUL KALAM AZAD

Received your message at one afternoon. In obedience directions Working Committee am prepared return immediately on understanding come back Kashmir later. Early return only possible by aeroplane from Srinagar. No service planes available Srinagar or Pindi. Am under detention and can make no arrangements. Shall await facilities for return.

Jawaharlal

(22 June 1946. A.I.C.C. File No. G-16, 1946-48, p. 10, N.M.M.L.)

### TO THE MAHARAJA OF KASHMIR

Dak bungalow, Uri, Kashmir

22 June 1946

Dear Maharaja Saheb,

My last letter to you, which was taken personally by Shri Dwarkanath Kachru, was followed by various activities on the part of the Kashmir Government resulting in my arrest and detention as well as the arrest and detention of a number of my colleagues. In these circumstances perhaps another letter from me would hardly be called for. But I feel that I owe it to you and to myself to send you this letter.

In my telegrams and letter to you sent from Delhi I made every effort to approach you in a courteous and friendly manner. I wanted to avoid any undesirable development and to help in solving, or at any rate easing, a situation which could not be welcomed by anyone concerned with the welfare of Kashmir. I regret that you did not appreciate my approach to this question and instead permitted your Government to take the action it did. I consider this action not only a grave discourtesy personally, which would not matter very much, but to the organisations I have the honour to represent. I am not agreeable at any time or at any place to my freedom of movement being interfered with, whether it is an Indian State or the



rest of India. Inevitably I could not agree to obey the order served on me at Kohala. I am convinced that it was a major error on the part of your Government to arrest Sheikh Moham-mad Abdullah as he was going to Delhi to meet me. It was the second major error of your Government to stop me from going to Srinagar in connection with Sheikh Abdullah's case. The consequences of these actions are patent, and I can hardly conceive that the Kashmir Government is pleased with its own activities or with the consequences these activities have led to.

In view of the direction of the congress Working Committee, conveyed to me by the Congress President, Maulana Abul Kalam Azad, I have decided to return immediately to Delhi provided facilities are available for the purpose. I have done so, however, on the distinct understanding that I shall return to Kashmir as soon as the urgent work in Delhi permits me to do so. The fact that Sheikh Abdullah's case has been adjourned has facilitated my present return. As soon as the date of my return to Kashmir is fixed up I shall inform you of it. I do not know how your Government will view my return and whether it will again attempt to stop it or not. If any such order is passed with a view to stopping me, I shall be unable to obey it. I see no justification whatever for any Government, least of all the Kashmir Government at present, to try to stop the entry of an individual like me, and I cannot submit to any such restriction on my freedom of movement. I trust, however, that no obstruction will be placed in my way in carrying out my programme.

One of my colleagues, Shri Dwarkanath Kachru, was arrested at Kohala apparently for doing just what most of us did on the occasion. The reason for differentiating his case from others is not clear to me.

Yours sincerely,  
Jawaharlal Nehru

(A.I.C.C. File No. G-16, 1946-48, pp. 8-9. N.M.M.L.)



## ON THE DECISION TO RETURN

I received an urgent summons from the Congress President this afternoon at Uri in which I was told that the Working Committee desired my presence immediately as various important matters were awaiting decision. I was told I could return to Kashmir later. In view of this direction of the Congress President and the Working Committee. I decided to return to Delhi.

The fact that Sheikh Abdullah's case has been postponed also facilitated my return. We left Uri at about 4 p.m.

At Uri, for the last two days, we were kept as detenus in the dak bungalow which was converted into some kind of a prison for this purpose, guarded by the military. I have been rather out of touch with the happenings in the country since I entered Kashmir.

(Interview to the press, Rawalpindi, 22 June 1946. From The Hindu, 23 June 1946.)

## AN ACCOUNT OF THE EPISODE

For the last four days, I have been rather cut off from outside newspapers and news. I find now that, as is usual, rather exaggerated accounts of various occurrences have appeared in the press. So I shall give a brief account of the happenings as I see them.

Our party reached Kohala on 19 June in the afternoon and, after lunching at the dak bungalow, as we crossed the bridge into Kashmir territory about 2.30 p.m., I was served with an order under the Defence of Kashmir Rules asking me to leave Kashmir. I said that I was unable to obey that order as I saw no justification for it, and I proposed to remain there. The road further on was blocked by a wooden barrier and by the police and the military. Our party sat on the roadside, or in the small



customs hut, for a long time. The District Magistrate had said that he would communicate with the higher authorities and asked me to wait for an answer. I agreed to do so.

We grew rather impatient as hour after hour went by and no answer came. Ultimately, at about 7. 45 p.m., I told the District Magistrate that I could not remain like that on the wayside any longer, and I proposed to march on foot towards Domel on Srinagar Road. Obviously, I could not go very far on foot and Srinagar was 132 miles further on.

While we were waiting, some residents of Kohala, chiefly young men and schoolboys, had gathered at the spot. They sang national songs and raised our usual slogans. On the police side three lorries had brought a number of people from Srinagar or the neighbourhood with black flags. They were shouting 'Jawaharlal, go back'. They were, however, quite disciplined about it and when a police officer raised his hand, they stopped shouting immediately. Later, in the evening, some of these black flag demonstrators came to us and apologised privately and said that they had been paid for the occasion.

When the news of my being stopped reached Murree, about 25 Congressmen from there came over in a bus to Kohala. References in the papers to jathas gathering there are entirely wrong. Apart from one lorry-load of Congressmen, who came to enquire as to what had happened, and some of the residents of Kohala who had gathered, nobody else came so far as I know. Kohala is a very small place with only a few inhabitants.

At about 7.45, I started marching along the Srinagar Road. Others followed me, and when we came up to the police and the military, I pushed ahead in between them. So did others. Some of the soldiers had bayonets, some had rifles while the police had lathis. The police refrained from using their lathis except in trying to stop us. The bayonets were very near us



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sometimes, but actually there was no injury from them. In fact, when one bayonet was within a few inches of me Mr. Dwarkanath Kachru, who was next to me, diverted it. He was arrested soon after.

On the whole, I have no complaint against the police or the military, who were placed in a difficult position. But when there are bayonets and loaded rifles, accidents can easily take place. The order to load rifles was given in our presence. I was not injured in any way, nor was anyone else, except as a result of pushing about and hustling. Altogether we must have gone about 250 yards, the later part of the journey being more or less of a procession with the police and the military joining in.

We then stopped again and had a talk with the District Magistrate. Right at the beginning we had asked him if we had been arrested. He said "no". We said that if we were not arrested, then we claimed the right to march on. Ultimately, the Magistrate took away the police and the military to Domel, 21 miles ahead. We had some kind of meal in the middle of the road and we motored to Domel, where we spent the night.

The next morning we were told that we were technically under arrest. Mr. Asaf Ali and Dewan Chaman Lal wanted to go to Srinagar, but they could do so only when special permission came from Srinagar late in the afternoon. At night, we were removed from Domel to Uri, 50 miles towards Srinagar. A military convoy accompanied us.

The Uri dak bungalow was converted into a kind of prison and was guarded by the military. There I remained for two days, when I received Maulana Sahib's telegram, demanding my presence here. I had no alternative but to obey. But, of course, it was understood that I would go back to Kashmir later. The fact that Sheikh Abdullah's trial had been postponed also made it easy for me to return.



It has been stated that a large number of jathas came. So far as I know, only a few odd people trickled in. As a matter of fact, I had discouraged jathas from coming. The whole traffic on the Jhelum Valley road had been completely stopped for two or three days.

About Kashmir, I do not wish to say anything more at present, but this incident does throw a significant light on conditions in the States. Why should I, or anyone else, be stopped from entering any State ? So far as I am concerned, I have the strongest objection to my being ordered to restrict my movements. I am not prepared to obey any order that I consider unreasonable anywhere and at any place, whether in a State, or in the rest of India. Nor do I consider myself an outsider in any State. The whole of India is my home, and I claim the right to go to any part of it.

I am not sorry for what has happened, if it makes the rulers and others think hard of the new conditions in India and the temper of its people. Today highnesses and excellencies do not count in people's eyes as such. The worth of a man is not judged by how much he takes, but how much he gives to the public in the shape of labour and service. Each one of us consumes the labour of other people. The question is how much we give to the common pool. If we take more than we can give, we are a burden and strain on society. Therefore, every ruler, as everyone else in India, must ask himself this question. Does he give more than he takes either in service or otherwise ? Those who take more than they give cannot obviously be honoured members of society.

In the past for many of them it had all been a question of taking. In the future, a new balance has to be set in our social structure. So it is not merely a question of treaty rights, which are dead as a doornail, or dynastic rights, which have no value in people's eyes, but only a question of human rights. It is by



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that standard alone that all problems have to be considered and decided.

(Interview to the press, Delhi : 23 June, 1946. National Herald, 24 June, 1946.)

TO VIJAYALAKSHMI PANDIT

New Delhi  
June 25, 1946

Dear Nan,

I hope you are resting in Khali and getting fit again. I am quite well in spite of reports to the contrary. As a matter of fact this little outing in Kashmir has cheered me up and my two days' stay in Uri was much occupied in making up for arrears of sleep.

My programme is uncertain still. But I imagine that we shall leave Delhi by the end of this week. I have to go to Kashmir again round about the 1st July. If I can manage it, I shall go to Allahabad a couple of days. I have not been there now for nearly three months. In Kashmir I intend staying for three or four days only. But of course this is subject to developments there.

I have just received the following cable :

Generalissimo and I greatly concerned regarding your safety and health as newspapers report you were detained and injured. Please inform us how you are and whether there is anything we can do for you. Where is Nan. Madame Chiang Kai-shek.

To this I am sending the following reply :



Thank you and Generalissimo for your kind inquiry. Am quite well. Nan is at present touring in Himalayas. Returning Lucknow beginning July. Hope you and Generalissimo well. We often think of you, Greetings and good wishes.

I wrote two or three letters to Indu from Kashmir. I hope she has got them. Quite a number of people want to accompany me during my next visit to Kashmir. But I fear this will be less exciting than the last one.

Yours,  
Jawahar  
(J.N. Papers. N.M.M.L.)

TO DEWAN CHAMAN LAL

New Delhi  
27 June 1946

My dear Chaman,

I am sorry I have missed you here. I am going away tonight to Allahabad. From there I shall have to go to Bombay soon. I wanted to talk to you about Kashmir. We have been discussing this matter in the Working Committee. The committee, in accordance with their message to me at Uri, feel that they must assume responsibility for this matter now. They are taking a number of preliminary steps in this direction in the nature of correspondence etc. If necessary they will be followed up otherwise.

For the present I have been advised by them not to go to Kashmir because of the meetings of the Working Committee and A.I.C.C. in Bombay. It is probable that after the meetings Maulana Azad and I might go there together.

I should very much like you and Asaf to go to Kashmir for this trial. It is, of course, not merely for the trial but for other



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obvious reasons also. If nobody goes people there will feel that we have deserted them. They are rather down and out at the present time and require to be helped psychologically. So I hope you will go even for a short period; also Asaf. He is not likely to go to Bombay for the A.I.C.C. I imagine that this matter will be cleared up before very long in view of the various forces at work to this end. It is from this point of view also that I would like you and Asaf to go now, because your visit itself will help. You will tell Sheikh Abdullah that I am very sorry I could not be present there now, but I have refrained from going there because better hands are dealing with the matter and I couldn't easily go just at present because of the A.I.C.C. My mind is, however, full of Kashmir and we shall do our utmost.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Collection)

TO LORD WAVELL

Allahabad  
13 July 1946

Dear Lord Wavell,

Over two weeks ago, just before, I left Delhi, you were good enough to send for me to discuss recent happenings in Kashmir. I told you then that I had promised to return to Kashmir and I intended to keep my promise. But I had no desire to precipitate matters and, therefore, I had postponed my visit for ten or twelve days. Meanwhile, I hope that the difficulties in the way of my going to Kashmir would be removed.

I have now waited for over two weeks. I do not know what the exact position is there now. Meanwhile, this question has assumed a larger significance and the Congress Working Committee is seized of it. You will appreciate that it is not



merely a personal matter so far as I am concerned but affects our entire relation with the States. I am wholly unable to understand that the Kashmir Government should forcibly prevent me from entering Kashmir. Whether they are supported in this attitude by the Political Department or by the other ruling princes I do not know; but I can hardly conceive that they have acted in this manner without the advice and approval of the Political Department. In any event I have to keep my word to the people of Kashmir and I intend going there about the 23rd or 24th of this month. As you were interested in this matter and spoke to me about it, I think it right and proper to inform you of this. As soon as I have definitely fixed my date of departure I shall, of course, inform the Maharaja of Kashmir about it.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Collection)

**TO THE NAWAB OF BHOPAL**

Allahabad  
14 July, 1946

Dear Nawab Saheb,

Thank you for your telegram congratulating me on my taking charge of the Congress presidency.

As you must be interested in recent happenings in Kashmir and have taken part in some talks relating to them, I feel I should let you know that I intend going to Kashmir in about ten days' time. I returned from there last month on the definite understanding that I would go back. I had tried not to precipitate matters and I hoped that the difficulties and obstructions placed in my way would be removed. Nearly three weeks have passed by and I have to keep my promise.



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This question, as you no doubt appreciate, has assumed a much wider significance than it possessed previously and the Congress Working Committee has taken charge of it. It is a matter which will undoubtedly affect the public attitude to the Indian States in general. I still hope that a satisfactory way out may be found.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Collection)

TO ASAF ALI

Allahabad  
16 July, 1946

My dear Asaf,

The postal and telegraph strike has rather isolated us and made it difficult to communicate with each other. I am sending this letter by messenger, that is through Krishna Kripalani who is going to take charge of the A.I.C.C. office in New Delhi. This, I believe, is situated opposite your house in Windsor place.

I do not know if you have received the notice of the meeting of the Expert Committee we have appointed for the constituent assembly. This committee consists of you, Gopalaswami Ayyangar, K.T. Shah, D.R. Gadgil of Poona, Humayun Kabir, K.M. Munshi and me. We have fixed the 20th July for its first meeting. It will meet at 19 Windsor Place. New Delhi, at 2 p.m. Naturally I want you to be present at it and I have asked all members to come prepared with notes.

In spite of my desire to have you in Delhi for this meeting, I sent you a telegram suggesting that you might stay on in Srinagar for Sheikh Abdullah's case. I did this in consultation with Maulana because for the moment we saw no other way out. The telegram you sent me was not clear except that Bal-



Jammu.

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Acc. No.... 5. A. 5. 5. ....

Dated... 10. 5. 5. ....

dev Sahay was going away. I do not know how matters stand now. It is exceedingly difficult now to get hold of any senior counsel. We cannot even get into touch with other persons by telegram. The time at our disposal is limited. Ultimately, seeing no other way out for the present, I have asked a young barrister here, whom you might perhaps know—Shanti Dhawan, to go to Srinagar. He is good in his own way, but obviously this is a stop-gap arrangement and he cannot take the place of a senior. I decided to send him as I could find no one else just at present and it was better to send him than no one at all. So far as the work is concerned, he will do it fairly well, both from the legal and political points of view. But he does not carry a big name and a reputation. I do not even know whether the case will be proceeded with or adjourned again. Anyway Dhawan can hold the fort till further developments or till other arrangements are made.

Of course if you had remained there or if you could go there that would be the ideal arrangement. But I can't press you to go backwards and forwards at the cost of your other work. That is for you to decide.

I do not know yet what the answer of the Kashmir Government is to the proposals put before them in Bombay by Gandhiji, Maulana and Patel. These proposals were in brief immediate unconditional removal of the ban on my entry, Sheikh Abdullah's release, and then consideration of constitutional issues on the basis of responsible government under the aegis of the Maharaja. For the present only the first two count. I think and alternative suggestion was also made that in any event Sheikh Abdullah should be released indefinitely on some kind of bail on his own recognizance so that he might be able to go about and consult his colleagues in Kashmir and outside. Kak said that he would place these matters before the Maharaja and then let us have his reply. It appeared that probably there would be a removal of the ban on my entry but there was little chance of Abdullah being released before the trial.



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Since then we have been waiting for an answer. I did not meet Kak and had no say in these talks. A suggestion was made that I might meet him, but I said that I better not do so.

Vallabhbhai wrote to the Viceroy also and sent a telegram to the Maharaja. The answer to this telegram was to the effect that the Maharaja had written to me. I have so far received no such letter. It is possible, of course, that it has been held up by the postal strike. So I do not know at all where matters stand. Provisionally I have intended going to Kashmir about the 24th of this month from Delhi. I informed the Viceroy and the Nawab of Bhopal of this, but I should like to know before I go what the Maharaja has written. I should like also to communicate with Maulana and Vallabhbhai. That is difficult so long as the postal strike continues.

My present programme is to go to Delhi by air on the 19th reaching there at about 7 p.m. that day. On the 20th, as I have said above, we hold our Expert Committee meeting. I shall stay there till I go to Kashmir unless something unforeseen occurs.

I have mentioned above that Shanti Dhawan is being sent by me to Srinagar. I am asking him to spend a day in Delhi to meet you and be posted up. He will reach Delhi on the 19th morning by train. I want him to proceed by air on the 20th morning to Pindi and thence by car to Srinagar. I am writing a letter to Bakshi Ghulam Mohammad to make arrangements for his air journey as well as car journey from Pindi. Will you please see that Bakshi gets this letter and makes the necessary arrangements? His usual address is : C/o Pandit Brothers, Connaught Circus, New Delhi.

As I shall reach Delhi on the 19th evening I should like to meet you and Dhawan that same night before Dhawan leaves



the next morning. I expect to stay with Ratan and Rajan at 18 Hardinge Avenue.

Yours affectionately,  
Jawaharlal Nehru  
(J.N. Collection)

TO BAKSHI GHULAM MOHAMMAD

Allahabad  
16 July, 1946

My dear Bakshi,

We have not yet had any definite answer from the Kashmir authorities, but the Maharaja sent a telegram to Sardar Patel three days ago to say that he had written to me directly. I have not received this letter yet, possibly because of the postal strike.

I have received a telegram from Jailal Kilam stating that Baldev Sahay is away and he wants further instructions. It is exceedingly difficult to make any suitable arrangements in this short time, especially as the post and telegraph system is not working properly. I had hoped that Asaf Ali would stay in Srinagar, but apparently he has come back to Delhi. I do not know whether the case will be adjourned again or not. I can't get a senior lawyer from Bombay or elsewhere to come suddenly at a day's notice. I have, therefore, decided to send from here an able and smart young man, whom perhaps you remember as he was associated with the States People's Conference some years ago—Shanti Dhawan. Dhawan is a capable barrister and is Reader of Law here at the university. Both from the legal and political points of view he will be good. The only thing lacking is a famous name. I think he is good enough to carry on and hold the fort for the present till we make other and additional arrangements if necessary. So Dhawan will go from here via Delhi. He expects to reach Delhi on the 19th early morning by train. I have asked him to meet Asaf Ali and



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you so that both of you might post him up. I shall show him the papers I have here. I want him to leave by air for Pindi on the 20th morning and by car from Pindi to Srinagar the same day. This will give him a clear day in Srinagar before the date fixed for the case. I have wired Jailal Kilam accordingly. Will you please make arrangements for his to go from Delhi by air to Pindi on the 20th morning and from Pindi to Srinagar ? It will be desirable for someone to accompany him from Pindi, But this is for you to judge.

I intend reaching Delhi by air on the 19th evening at about 7 p.m. I shall probably stay at 18 Hardinge Avenue. I want to meet you and Asaf Ali and Dhawan the same night. Please fix the place between you three. We can then give final instructions to Dhawan. It is my present intention to go to Kashmir after a few days in Delhi, but this will apparently depend on the Maharaja's letter and other developments. I have written on this subject to the Viceroy also.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Collection)

**TO THE MAHARAJA OF KASHMIR**

New Delhi  
20 July, 1946

Dear Maharaja Saheb,

I understand from Lord Wavell that you sent me a letter. I have not received this letter yet.

I write to inform you that I intend going to Srinagar on the 24th of this month. The immediate object of my visit is to advise my colleague, Sheikh Mohammad Abdullah. and his counsel in regard to his case. Further it is my desire, as it was last month on the occasion of my visit to Kashmir, to help in such



ways as I can in lessening the tension which has existed in Kashmir for some time past, and if possible, to find a way out of the unfortunate situation that exists there. That, I take it, is the desire of all who are interested in the well-being of Kashmir and its people.

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Papers. N.M.M.L.)

### TELEGRAM TO MAHATMA GANDHI

New Delhi  
20.7.1946

Received letter from Viceroy today about Kashmir. Thereupon decided go there twentyfourth on brief visit as Abdullah's trial beginning twenty-second. Informed Viceroy, Maharaja others my visit. Received your letter later. Consider change in programme not desirable now. Would early August suit you for Working Committee ? Please wire suitable date place.

Jawaharlal  
A.I.C.C. File No. G-16, 1946-48, p. 83, N.M.M.L.)

### TELEGRAM TO THE MAHARAJA OF KASHMIR

New Delhi  
20 July , 1946

Am informed you sent me letter week ago but no letter yet received. Viceroy conveyed brief purport of letter to me today. I hope reach srinagar on 24th evening on short visit.

Jawaharlal Nehru  
(A.I.C.C. File No. G-16, 1946-48,p. 73, N.M.M.L.)



## TELEGRAM TO THE NAWAB OF BHOPAL

New Delhi

20.7.46

Thank you for telegram. Am grateful for your sentiments and would certainly follow your advice if arrangements not already made and Sheikh Abdullah's trial not beginning. Finally decided about going after receiving Viceroy's letter on subject. Have no intention creating any difficulty. Shall endeavour to relieve tension with view to satisfactory solution.

Jawaharlal

(A.I.C.C. File No. G-16, 1946-48, p. 81, N.M.M.L.)

## TO VALLABHBHAI PATEL

New Delhi

20 July, 1946

My dear Vallabhbhai,

Thank you for your letter of the 19th which K.M. Munshi gave me. On arrival here this morning I received a letter from the Viceroy which was in answer to one I had written to him about my proposed visit to Kashmir. He mentioned that the Maharaja had written to me. As a matter of fact I have not yet received the Maharaja's letter. It is only from the copy you have sent me that I have been able to read it.

The Viceroy wrote that if I was anxious to go to Kashmir I could go there and there would be no ban. He hoped that I would observe the laws of the State, etc. On receipt of this letter I finally decided to go to Kashmir on the 24th. I informed the Viceroy accordingly and have written and telegraphed to the Maharaja.



After making these arrangements I got a long telegram from the Nawab of Bhopal this evening pressing me not to go to Kashmir at present. I have sent him an equally long reply appreciating his sentiments but pointing out that in view of what the Viceroy had written to me and the arrangements had been made it was difficult for me to cancel my trip; further that I was going there on a peaceful mission and not for trouble. So I propose to go on the 24th morning. I expect to be there about four days. Then I shall hurry back to Allahabad, where I have some important work.

It is not my intention to raise any major issues in Kashmir at this stage. I shall also see Sheikh Abdullah and join in consultation about his defence. I shall also visit parts of the city and meet some people. I do not propose to hold public meetings and the like, though it may happen, of course, that crowds gather occasionally where I go.

I think we should fix a date for the meeting of the Working Committee. Bapu has suggested that a meeting should be held soon to consider the Kashmir matter. I have sent a telegram to him asking him what date and place would suit him early in August.

There is no question of Maulana going to Kashmir at present. I know nothing about it.

About Sikhs and the Punjab I am absolutely and thoroughly fed up. Colonel Gill has sent me a telegram asking me to meet their delegation. As a matter of fact, my Committee here meets all day and I have no time left for any other work. I have told him so and have suggested that he might send his representatives to you.

Yours sincerely,  
Jawaharlal Nehru

(Sardar Patel's Correspondence, Vol. 1, pp. 10-11)



## TELEGRAM TO ABUL KALAM AZAD

22 July, 1946

Kashmir visit fixed after reference Gandhiji, Viceroy.

Jawaharlal

(A.I.C.C. File No. G-16, 1946-48, p. 71, N.M.M.L.)

## SHEIKH ABDULLAH'S STATEMENT IN COURT

I have pleaded not guilty to the charge of "sedition", which, according to jurists, is a crime against society, and I stand by whatever I have said or written in regard to the fundamental rights of the people of Jammu and Kashmir.

The reports of my speeches, though neither verbatim nor strictly accurate, are fairly correct. But when reliance is placed in the complaint and the charge on certain sentences, torn out of their context and not free from distortion, a wrong impression is likely to be produced. I owe it to yourself and the decencies of civilized controversy to state that I have maintained a clear and strict distinction between persons and politics, between individuals and the system of government which they operate, and I would not allow any undignified or indecent reference to or vulgar abuse of anyone anywhere. I have, however, all along sought the alteration of policies and measures and vital change in the system of government by legitimate and civilized means, for it is the birthright of man to shape and mould the law by which he must live.

I must also repudiate the charge that the violence to which the people are alleged to have resorted after my arrest resulted from my speeches, for realism alone would not permit me to contemplate a violent clash between the unarmed people and the armed might of the state. I called a total halt even to speeches after 16 May, and was proceeding to Delhi on 20 May for consultation with the responsible leaders of the All India



States People's Conference. I was not allowed to proceed far and was arrested at Ghari. The news of my arrest naturally called forth a public protest, which was met with violent repression, and the bullet holes in Khanqah-i-Maulla bear silent testimony to it. Subsequently a chain of happenings took place, the bitter memory of which is fresh in everyone's mind. Even up to now fresh links are being forged in that dreadful chain of ruthless suppression and suffering. An elaborate attempt has been made by the prosecution to connect the events that happened after and in consequence of my arrest, which I am advised are irrelevant to the case, with my speeches. Thus, oddly enough, is sought to be justified the precipitate and uncalled for action of the Government in suddenly arresting me and hundreds of our colleagues, and letting the military loose on our people, in pursuance of a policy of frightfulness, resulting in death, injury, humiliation and harassment of many innocent men and women.

I am not interested in a personal defence and I would not have undertaken it if I had not felt that my trial for "sedition" is something far more than a personal charge against me. It is, in effect, a trial of the entire population of Jammu and Kashmir, even though some of them, being content with their transient personal interests or out of fear, may not be prepared to recognise or openly declare this. Moved by the extreme poverty, misery and lack of freedom and opportunity of the people of Jammu and Kashmir State, I and my colleagues of the Jammu and Kashmir National Conference, many of whom are behind prison bars or in exile today, have humbly sought to serve them during the past sixteen years. We have endeavoured to give faithful expression to the growing consciousness among the people of their rights, aspirations and desire for freedom. This has attracted the penal and preventive provisions of law. Where law is not based on the will of the people, it can lend itself to the suppression of their aspirations. Such law has no moral validity even though it may be enforced for a while. There is a law higher than that, the law that represents the



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people's will and secures their wellbeing, and there is the tribunal of human conscience, which judges the rulers and the ruled alike by standards which do not change by the arbitrary will of the most powerful. To that law I gladly submit and that tribunal I shall face with confidence and without fear, leaving it to history and posterity to pronounce their verdict on the claims I and my colleagues have made not merely on behalf of the four million people of Jammu and Kashmir but also of the 93 million people of all the States in India. That claim has not been confined to the people of a particular race or religion or colour. It applies to all, for I hold that humanity as a whole is indivisible by such barriers and human rights must always prevail. The fundamental rights of all men and women to live and act as free human beings, to make laws and fashion their political, social and economic fabric, so that they may advance the cause of human freedom and progress, are inherent and cannot be denied though they may be suppressed for a while.

I hold that sovereignty resides in the people, and all relationships, political, social and economic, derive from the collective will of the people. The State and its head represent the constitutional centre of this sovereignty, the head of the State being the symbol of the authority with which the people may invest him for the realisation of their aspirations and the maintenance of their rights. The people, who constitute the state, must be the first charge on the resources and the primary concern of the State. In promoting the good of the people there must be no discrimination between one group and another, and all of them should have equal rights, obligations and opportunities. No artificial disability should be permitted to operate to the prejudice of any individual or group or community.

Through ages past Kashmir has been famed throughout the world for its entrancing beauty, the peaceful and intellectual pursuits of its people and the skill of its craftsmen. Nature has bountifully endowed this land and placed it as a lovely crown on the brow of India. If people from far off countries are at-



tracted to it, what must be the feelings of those whose homeland it is and who have been nurtured in its bosom and how have drunk deep of its beauty and exhilarating air ? And yet this land of fable and romance and abounding resources continues to suffer in the grip of appalling squalor, poverty and misery and, through starvation and want, the bright eyes of its people have lost their lustre and their faces have become dull and lifeless. When we who are of Kashmir look at this strange paradox, we are moved to our innermost depths and an overwhelming desire seizes us to do our utmost to change this unhappy scene and make of Kashmir what nature designed it to be. It is this urge that has carried us forward, even though dangers and difficulties have faced us, and it is this urge that has gradually brought hope to our people and somewhat lightened their burden. Moved by this grim reality the National Conference of Jammu and Kashmir drew up a plan for the future government of Kashmir, in which it embodied a charter of the people's rights and obligations, a plan of democratically organised responsible government with a constitutional head, and an economic structure of society, and called it a "New Kashmir". It represents the fundamental rights and aspirations of the people of Jammu and Kashmir, and is in full consonance with the demands and policies of the rest of India and the All India States People's Conference, of which I have the honour to be Vice-President. I have participated in the formulation of the policy of that conference and I agree with it now as I have done in the past.

This conference has clearly laid down that the old treaties between the States and the British Government or its representatives are obsolete, and must end. That applies to all treaties including the Treaty of Amritsar, which has some special and unhappy features which make it a kind of sale deed of the territory and people of Kashmir. This treatment of a people as a commodity which can be transferred for hard cash has all along been deeply resented by the Kashmiris, whether Hindu, Sikh or Muslim. It hurts their national dignity. In practice, the



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peculiar nature of the Treaty of Amritsar has led to all kinds of discrimination against the Kashmiris. Resulting in their treatment as some kind of a lower class.

The March announcement of the British Prime Minister affected the Indian States as well as the rest of India, and the people of the States felt that just as the people of India as a whole would decide their future, both internally and internationally, so also they must have the right to determine their own future within the States and in relation to the larger framework of a free India. That was not only a logical, reasonable and long-standing demand, but also it seemed to be the inevitable consequence of what the British Government had stated. The All India States People's conference gave clear expression to this demand and looked forward to sharing, on behalf of the people of the States, in fashioning the future in cooperation with others.

It was clear that the old treaties with the States had to go. They represented something that had no relation to the modern world or to the India of today. They could not be reconciled with the inevitable changes in India and in the States. If this was clear to begin with, it became an accepted fact by the statement issued by the Cabinet delegation on 16 May last. That statement declared that paramountcy would end when the new constitution of free India came into being. It was an inevitable consequence that the old treaties and sanads and other engagements would go the way of paramountcy, and, the British Government being out of the picture, a new relationship would have to be negotiated between what is now known as British India and the States. The demand for the abrogation of the Amritsar Treaty was, in effect, disposed of by this clear decision of the Cabinet delegation. The future constitutional set-up in the State of Jammu and Kashmir cannot derive from the old source of relationship which was expiring and was bound to end soon. That set-up could only rest on the active will of the people of the State, conferring on the head of the State the title



and authority drawn from the true and abiding source of sovereignty, that is, the people. The "Quit Kashmir" cry symbolised and gave concrete shape to this demand for the termination of a system of government which was in the process of dissolution all over India. That cry had nothing personal about it.

Meanwhile, developments in Kashmir had led to a crisis. A brief reference to the circumstances preceding the crisis is necessary here. Certain constitutional changes were introduced in 1944 which were glaringly inadequate and fell far short of the demand of the situation. Yet we agreed to work them in order to expedite and facilitate further change and, in particular, because we hoped that this would lead to contacts with the ruler and cooperation in bringing about essential changes. But our efforts ended in failure and these constitutional changes were reduced in practice to a futile shadow. The intolerable privations and grievances of the people of Jammu and Kashmir found no relief or remedy. A microscopic minority of variously graded jagirdars was, and is, allowed to exercise indefensible rights over large sections of the people who live in appalling poverty.

In Jammu province, especially in Chinani and Poonch, the jagirdari system presents a pathetic spectacle of degrading poverty and heartless exploitation. In recent years, Kashmir province has been, and is still being, parcelled out in jagirs which are granted to a small group of favourites. Thus, when land reform is considered everywhere an essential preliminary to progress, in this State a semi-feudal land system is actually being extended with all its attendant evils. As one goes up the higher valleys of the State, one is enchanted by the loveliness of mountain and valley and, at the same time, struck dumb by the degradation of human beings living there. The army of the State is drawn almost entirely from a selected class of persons of Jammu province only. The people of Kashmir province whether Hindu or Muslim and even though they may live in



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Jammu province are completely debarred from entering the army. The Kashmiris may join, and have in fact joined and distinguished themselves in the British Indian army, but they are not eligible for the state army. In regard to the keeping of arms there is also an invidious distinction in favour of a selected class, the rest not being allowed this freedom. This discrimination between one set of people in the State and another, which has nothing to do with religion, debars the bulk of the population of Jammu and Kashmir from the possession of arms and is evidence of the suspicion and distrust of this vast proportion of the State's inhabitants. It is a humiliation which is felt deeply and which underlines the policy of the State in emphasising the inferiority of the great majority of the people.

The State has vast and rich natural resources but these have failed to relieve poverty and utter want. Indeed no effort is apparently made to develop these resources for the common good, and Kashmir continues, in a changing world, static and unchanging and steeped in misery. This can only be due to the failure of human agency and the autocratic system of administration. It can only be remedied by the representatives of the people undertaking the task of planning and development for the rapid betterment of the masses. No State can succeed in raising the standard of its people's life without educating and training them to pursue creative and productive activities. The percentage of literacy in the State is 6, the percentage of higher education is 1, and the average income per capital is Rs. 11 per annum. This by itself is an eloquent commentary on the system and structure of government to which the slogan "Quit Kashmir" is addressed.

Prime Ministers have been coming and going in rapid succession, though Kashmir remained static. It seemed almost certain that some malign fate held our fair country in its vicious grip and prevented it from coming out of the quagmire in which it was sinking. War came and convulsed the world, but Kashmir remained the same backwater where time seemed to



be still and the clocks did not function except sometimes when they went backwards. The events of 1942 and 1943 shook the whole of India to its innermost depths and affected the people of Kashmir also powerfully. As elsewhere in India, political consciousness here rose to new heights and a sense of intolerable frustration seized the people. They could not remain where they were, they could no longer continue enduring their poverty and misery, which had increased under the stress and strain of war conditions. And yet they could not do anything to change what they could not tolerate for the door of change was barred and bolted.

The present Prime Minister came to occupy the seat of authority and a new and disastrous policy of alienating the people was inaugurated. The position of the popular minister was made intolerable and he found himself compelled to resign. Soon after, as a result of a secret intrigue, a member of the National Conference was won over by the State authorities and made a Minister overnight in contravention of the rules and procedure laid down by His Highness. This sudden development came as a great shock to the people and they began to feel that His Highness had been influenced by the small coterie that surrounded him to act in a manner which was not expected of the impartial head of the State.

The sole object of the Premier's policy was to crush the popular movement as represented by the National Conference presumably because this great organisation was the strongest and the loudest in viewing the people's demand for political and economic changes. We have the authority of the Premier himself for the statement that he started this policy immediately after taking office. To a newspaper correspondent he stated soon after the 20th May : "We have been preparing for it for eleven months and now we are ready to meet the challenge. There will be no more vacillation and no weak-kneed policy. We shall be ruthlessly firm and we make no apology about it." Strangely enough, the Premier had the clairvoyance to prepare



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for the effect of my speeches eleven months before they were delivered or "Quit Kashmir" was heard as a slogan. Even before those speeches, elaborate military preparations were made all over the valley and again on the Premier's authority three units of the army were flown to Kashmir. There was much planning ahead. The Governor of Kashmir has stated : "We planned ahead with the help of the police and military. The combined operation of the two alone, we knew, could help us to face the situation. The fusion has worked well and yielded good results. My faith in stern measures before the trouble spread has been justified."

It is this eleven months' preparation, and all that went with it, that is the direct cause of the happenings since the 20th May, not a few speeches delivered by anybody or some slogans shouted by a crowd. It is an ironical irrelevance to discuss the merits or demerits of a speech and to ignore the patent and admitted actions of the Kashmir State Administration which inevitably led, and were meant to lead, to recent events. The climax of the Prime Minister's "ruthlessness" was reached after the 20th May when men and women were dishonoured, human beings were made to crawl or hop on one leg along roads and sweep them with their turbans, places of worship were desecrated, and an attempt was made to terrorise our whole people by methods of frightfulness. Eleven months preparation for the Premier's "ruthlessness", and all the careful thought that had gone towards the coordination of the military and the police, had borne fruit.

Some allegations have been made that "Quit Kashmir" and the demand for the abrogation of the Treaty of Amritsar had communal or Communist inspiration. This is a travesty of fact and I deny and repudiate these allegations. The National Conference is essentially a national organisation including in its fold all people who agree with its objective, and cooperating with the All India States People's Conference, with which it is affiliated. It stands in the all-India context for the inde-



pendence and freedom of India. It stands also for social and economic changes to end privileges and to raise the masses.

It is a small matter whether I am imprisoned and tried and convicted. But it is no small matter that the people of Jammu and Kashmir suffer poverty, humiliation and degradation. It has been no small matter what they have endured during the violent repression and horror of the past two months and more, and what they are enduring now. These very events have demonstrated the justice of our demand and of our cry "Quit Kashmir". For a system of government that can subsist only by pursuing such methods stands condemned. If my imprisonment and that of my colleagues serves the cause to which we have dedicated ourselves, then it will be well with us and we shall take pride in thus serving our people and the land of our forefathers.

Kashmir is dear to us because of its beauty and its past traditions which are common to all who inhabit this land. But it is the future that calls to us and for which we labour, a future that will be common heritage of all, and in which we as free men and women, linked organically with the rest of India, will build the new Kashmir of our dreams. Then only shall we be worthy of the land we dwell in.

(Jointly Drafted by Jawaharlal Nehru and Aruna Asaf Ali,  
The Tribune, 7 August, 1946.)

### **THE ORDEALS OF THE KASHMIR PEOPLE**

After four brief days in Kashmir, my mind is full of impressions, painful and otherwise. I shall not say much about them now. To the authorities I have nothing to say, but I have a claim on the people, just as they have a claim on me.

I want to tell them that the ordeal they have gone through, hard and bitter as it has been, is often a necessary training for



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a people. The masses are trained not so much by books and speeches as by experience of life's hardships. So I hope, and indeed I am sure, that all that has happened will ultimately benefit the freedom movement in Kashmir and strengthen the people. It will strengthen them the more they adhere to right courses and high standards of conduct. During all that has happened, the people, as was inevitable, have acted sometimes rightly, sometimes wrongly. When mass action is involved, this mixture cannot be avoided, but a continuous effort should be made to emphasise right action and to avoid anything that is wrong. Our movement aims high and therefore it should maintain a strict standard of conduct and discipline. The more it does so the greater will be the strength of the people and the sooner their ultimate triumph. In particular, I should like them to remember that they should not indulge in personal or condemnatory slogans. Strength does not come from condemning others, even though they might err. That is a sign of weakness. Our thoughts and our actions should look to the future which we are trying to fashion, and our slogans should also be affirmative and strength-giving. Also I should like to emphasise that violence in a movement of this kind does little good. The more peaceful and disciplined they are the more they will raise themselves and influence others. I know well of the violence and the inhumanities that have been perpetrated on the people here but, as I have said above, I do not wish to say anything about it now. I am more concerned with what our own people do than what others do to them, because ultimately it is what we do that counts.

I was happy to meet Sheikh Abdullah, the gallant leader of Kashmir, again. I am going away, and I shall be burdened with many responsibilities, but my mind will often turn to this beautiful land of Kashmir, which is as much mine as it is yours, and whatever I can do to help the people of Kashmir I shall do.

In two and a half month's time elections for the State Assembly of the Praja Sabha are going to be held. I hope that full



advantage will be taken of these elections and that the National Conference will contest them all over the State and demonstrate that the people are with it in its fight for freedom. They should prepare for these elections from now, and I am sure they will succeed. I suggest that first place be given to this activity from now onwards.

May it be well with Kashmir and its people in the days to come and may we all in Kashmir and the rest of India achieve our hearts' desire—freedom for the people in a free and independent India.

(Statement to the press on return from Kashmir on 29 July 1946. *The Hindu*, 30 July 1946.)

TO NORMAN CLIFF

Allahabad  
6 August, 1946

Dear Cliff,

Thank you for your letter of the 24th July. I am sorry I missed seeing you before you left India. But as you are coming back here again we are likely to meet. I went to Kashmir again and spent a few days there. Nothing very new has happened there and the trials of both Sheikh Abdullah and Kachru are going on. I am afraid that this Kashmir affair is not likely to be settled soon. Behind it, of course, lie not only the Political Department but also the Chamber of Princes. As you probably know, the Political Department of the Government of India was exceedingly annoyed with my visit to Faridkot.

With all good wishes to you,

Yours sincerely,  
Jawaharlal Nehru  
(J.N. Correspondence, N.M.M.L.)



## NOTE ON SECOND VISIT TO KASHMIR

When I returned from Uri in Kashmir in June last I promised to go back. The message received by me from the Congress President also indicated that I would have to go back. I was anxious, therefore, to return as early as I could.

In the third week of July I wrote to the Viceroy and to the Nawab of Bhopal saying that I would probably pay a brief visit to Kashmir towards the end of the month. A few days later, when I reached Delhi, I received a letter from the Viceroy informing me that the ban on my visit had been removed and I could go to Kashmir if I wanted to do so. Subsequently I received a letter from the Maharaja of Kashmir also to the same effect. Thereupon I wrote to the Viceroy as well as to the Maharaja that I would go to Srinagar on the 24th on a brief visit.

On the 24th I went from Delhi reaching Srinagar the same evening. I was accompanied by Major-General Shah Nawaz, who was anxious to see Kashmir for the first time, and Col. Habibur Rahman, who is himself a Kashmiri and who met me at Pindi. There was no untoward occurrence during the journey.

When I reached Srinagar, our car stopped at the Transport Company's office in the city square. Immediately it was surrounded by an excited crowd. I came out and was almost mobbed by friendly people who tried to embrace me. The police drove most of them away. I then proceeded standing on the footboard of the car. A few dozen persons followed the car shouting slogans. Repeatedly the police drove them away with lathis. Twice I got down from the footboard and tried to intervene when I saw this lathi display and people being arrested. On one occasion when I got down, a few persons surrounded me and a policeman and one member of the crowd slapped the policeman.



I remonstrated with him and pulled him away. This incident was given considerable publicity in some Kashmir newspapers which are said to be subsidised by the Government, which stated that I had attacked the policeman. It was further stated that a complaint had been lodged against me, though I received no further intimation of it. There was no other incident of this type during my four days' stay in Srinagar which passed off peacefully.

The next day I attended Sheikh Abdullah's trial and later had a long interview with him. I had four such interviews with him, that is, one daily during my stay. No one was present during our interviews except occasionally one of our lawyers. I had long talks with Sheikh Abdullah and discussed the whole situation as well as the defence. He gave me a background of all that had happened and how all their repeated efforts to reach the Maharaja had been foiled by the Prime Minister, and how the Prime Minister had deliberately and openly worked to crush the national movement by encouraging the Muslim Conference and other sectional bodies. A year previously the National Conference had organised a magnificent welcome for the Maharaja on his return from the Middle East. In many other ways they had tried to win the goodwill of the Maharaja. But they could not reach him. Ultimately their Minister had also to resign and a sense of slow strangulation took hold of the people leading to a mood of despair. This again led to other events and the cry of "Quit Kashmir". He made it clear that at no time had there been any personal reference to the Maharaja. It referred to the autocratic rule in Kashmir. There is no doubt that there has been and is strong feeling among Kashmiris, both Hindus and Muslims, against what is called Dogra raj and the Dogra ruling class which has all manner of special privileges. Thus Kashmiris cannot enter the State army or keep arms. In the matter of grants of State land too the people of Kashmir proper suffer at the expense of others.



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Sheikh Abdullah while making it clear that no personal affront was ever meant for the Maharaja was strongly against the whole system of Government prevailing there and more especially the Prime Minister and his clique.

During my stay in Srinagar I paid visits to certain places in the city where firing had taken place as also some mosques which had suffered injury. My visits were unannounced to avoid crowds. I also paid a visit to Anant Nag where also people had died owing to firing and it was said that there had been a great deal of repression and looting by the military. Two cases of rape were brought to my notice and I was told that recently some other cases had occurred in the neighbouring village. Wherever I went people were very excited and at the same time rather cowed down.

I met many neutral observers unconnected with politics. And the general impression I got from them was that the Kak regime was thoroughly corrupt and crooked and that there would be little peace in Kashmir so long as this continued. I avoided all public functions and did not make any statement to the press or otherwise except a brief statement at the end of my stay. This statement was in the main an appeal to the people to stick to peaceful methods and avoid objectionable slogans. I do not remember hearing any personal slogans regarding the Maharaja or anyone else. The usual slogans I heard were those denouncing the Amritsar Treaty. Sometimes I heard "Dogra raj murdabad".

I made no attempt to meet any of the high State officials but wherever I went minor State officials, magistrates and the police followed me. The police and military were also encamped near our house boat.

An old friend, Swami Sant Dev, was staying in the Maharaja's guest house. I went to see him. Later he sent word to me that he would like to meet the Maharaja at his palace. I



expressed my willingness to do so. But the meeting did not take place as, it was stated, the Maharaja was unwell.

Sheikh Abdullah's trial went on from day to day. I did not attend it after the first day. Asaf Ali was the senior counsel for the defence. It was obvious that a conviction was aimed at. In the course of the trial an interesting fact came out. According to the prosecution the damage done by the people in the city of Srinagar during the disturbances after Sheikh Abdullah's arrest amounted to a little over Rs. 7000/-. This was a trivial sum and consisted of a large number of small items. Some time afterwards, I believe, an official building was burnt down.

Dwarka Nath Kachru, who was arrested in June at the time of my first visit, was still an under-trial prisoner. I did not see him as he was kept far from Srinagar. When there was a chance of my seeing him on my way back, he was suddenly removed hand-cuffed. So far as I know his trial has not begun yet.

The National Conference people were carrying on some kind of token civil disobedience. This amounted to a weekly defiance of the ban on meetings when a few selected persons offered themselves for arrest after Friday prayers at the mosque. At the time of these arrests there were sometimes conflicts between the crowds in the mosque and the police. While I was in Srinagar on a Friday there was a biggish conflict of this kind which resulted in injury to a number of policemen as well as members of the public and a large number of arrests. I was of course not present when this took place.

There were various groups in the National Conference. Some were anxious to intensify the civil disobedience, others were inclined to stop it. The general feeling was that it should be carried on in this weekly manner, at any rate, till the end of Sheikh Abdullah's trial which was likely to take place within a fortnight. A complicated factor was the approach to elections



for the State Assembly. After some discussion Sheikh Saheb and his colleagues decided to contest these elections which are going to take place in October next. They had no doubt whatever that if they were given the chance they would sweep the polls. Recent events have considerably reduced the influence of the Muslim Conference and added to the prestige of the National Conference. The difficulty, however, was that almost every one of their workers was in prison, either convicted or in detention. However, they decided to contest the elections anyhow. This led them to think that it would be desirable to call off the partial civil disobedience that was going on, so that they might prepare for the elections. On my way back I met Bakshi Ghulam Mohammad, the acting president of the Kashmir National Conference, who had been out of Kashmir during this entire period since before Sheikh Abdullah's arrest. He told me that he had decided to call off, as president, civil disobedience as soon as Sheikh Sahib's trial was over. I agreed with him.

It is interesting to note that quite a number of Kashmiri Hindus have been arrested, convicted or detained, during these last two and a half months or more. As a rule every Hindu who has been convicted has received a heavier sentence than the Muslims, presumably to deter the Hindus to take part in the movement.

Just before my return I nominated a relief committee for the purpose of helping the sufferers from these disturbances and their dependents. I made it quite clear that this was entirely non-political and I tried to get into it some people who had no connection with politics. It was not easy to do so as people confessed to me that though they had every sympathy they were afraid of the Prime Minister's revenge. Still a committee was nominated. I have recently heard that the president of this committee has been arrested.



I have also been informed that Bakshi Ghulam Mohammad, Shamlal Kaul and some other Kashmiris, who have been doing publicity work for the National Conference from Lahore, are wanted by the Kashmir Government which has asked the Punjab Government for extradition. They have asked me for directions as to what they should do. Bakshi Ghulam Mohammad is perfectly prepared to return to Kashmir. His only fear is that if he is arrested, immediately on return, he might not have the chance to call off civil disobedience formally and the wrong people may then control the situation. Before I returned from Srinagar I participated in the drawing up of a long statement which Sheikh Abdullah was presenting to the court. I did not see the final draft of the statement. But the general lines had been settled. In this he made it clear that he stood by the policy of the States People's Conference which meant responsible government under the aegis of the ruler. But he emphasized that sovereignty must reside in the people and they must have power to decide about the future of the State. He further said that Kashmir should be an autonomous part of the free Indian unit. About the Amritsar Treaty he said that the question had been settled officially by the Cabinet Mission's statement of May 16th which stated that paramountcy should end under the new constitution. With paramountcy must necessarily go the old treaties.

In his statement he deprecated personal and condemnatory slogans and cries. Indeed he pointed out that in one of his reported speeches before his arrest he had said so. At that time the slogans were directed against Kak.

Sheikh Saheb's trial is likely to end within a week or so, though it is difficult to judge from here.

It is generally thought that British policy in Kashmir is aiming at the possession of some of the frontier areas. The British Government would not of course like a popular upheaval upsetting the present government there. At the same



time they do not mind the Maharaja being frightened so that he might seek shelter with them and agree to their terms. The present Prime Minister has been known in the past to be a Residency man. He has completely isolated the Maharaja and is probably the most unpopular and hated man in Kashmir today. I did not come across a single person who had a good word for him. He has so managed things that it is difficult to bring about a change for the better. Most people told me that there would be no peace in Kashmir so long as Kak remains, and yet there was no obvious way of removing him, chiefly because hardly anyone was prepared to take his job. The only obvious alternative appeared to be some Muslim Leaguer from outside. Such a person would of course make matters worse. Yet it is clear that Kak cannot continue for very long.

I have never met the Maharaja. His reputation is of being a fairly decent man, sometimes moved by liberal impulses, but really not interested in public affairs at all. His chief interests : cooking, racing and building and demolishing houses. He is rather timid and keeps more aloof from people than most Indian rulers. Kak has apparently rather frightened him by his account of events and made him believe that it was only he, Kak, that saved the Maharaja from disaster. Probably the fact that has greatly irritated the Maharaja has been the report that personal and offensive slogans were shouted against him and the Maharani. Probably some such slogans were shouted by people in the crowd in the excitement of the disturbances. I do not think that any charge is made against any responsible person of having encouraged these slogans. Indeed prominent workers of the National Conference indignantly repudiated such slogans and often suggested that their enemies indulged in them to get them into trouble. This may be exaggerated. One slogan, however, which I heard on a few occasions in the streets of Srinagar was, as I have stated, "Dogra raj murdabad".



The slogan is bad and I condemned it repeatedly but it does represent a strong feeling against the Dogras who have definitely behaved as a ruling race, just as the Muslims in Hyderabad.

I heard that all manner of false and exaggerated accounts of what I was reported to have said have been taken to the Maharaja. From this I could judge how his mind must have been poisoned by false and tendentious reports. As a matter of fact I did not say anything offensive against him at any time, though when I was arrested I did say that he was a very foolish person and he would have to repent of what he had done. At the present moment I believe the Maharaja is a very unhappy person, trusting nobody, fearing everybody including Kak. Kak's policy has encouraged all manner of wrong elements in Kashmir. Among those whom he has specially encouraged are the people of the Muslim Conference which is affiliated to the Muslim League and a kisan sabha started by some followers of M.N. Roy. These latter people, I was told, behaved like perfect goondas and hooligans in neighbouring villages. The last ten weeks have naturally put a great deal of powers in the hands of the military and the police and they have behaved as military and police behaved in many parts of India in August and September 1942. There has been corruption on a grand scale and the State has spent vast sums of money. Kashmir has suffered greatly also because one of its main sources of revenue, the tourist traffic, has dwindled down this year. The people generally are in a very bad state.

The Kashmiris are a very excitable people, timid and at the same time inclined to occasional violence, and politically rather immature. Having no proper press of their own they are influenced greatly by the Punjab Urdu press which, as is well known, is of the lowest type. The Muslim Urdu papers are all League papers and they have been carrying on, for some years past, a barrage against Sheikh Abdullah and the National Conference. The Frontier Province has a certain steadying effect,



but the district of the N.W.F. Province which joins Kashmir is Hazara which is least influenced by the Khudai Khidmatgar movement. It is really the extension of the Punjab and suffers from Punjab's communalism. Thus Kashmir has continuously to face Muslim League propaganda and there is no doubt that during the last four years this has had some effect. Sheikh Abdullah has fought against this with a fair measure of success, but the influence of the League has grown. This was helped by the State policy also. This was one of the reasons which drove the National Conference people to extreme courses.

On the whole my four-day stay in Kashmir was quiet and uneventful. I purposely avoided saying or doing anything which might cause complications. Even after my return I said very little about conditions in Kashmir. The reason for this was because I felt that the Working Committee having in a way assumed responsibility, I must not create any further difficulty. During my stay no actual discourtesy was offered to me but I was surrounded by a kind of hostility and occasional reports, from mutual acquaintances, of the Prime Minister's reaction to my visit indicated that he was very far from friendly. Accounts in some Kashmir papers about my visit were highly offensive. These papers are supposed to be in close touch with the Prime Minister. The editor of one of these papers is the Associated Press correspondent and most of the news from Kashmir comes through him.

I have referred above to the coming election in Kashmir. It is believed there that the Prime Minister wants to prevent anyhow the success of the National Conference at these elections, and he will therefore carry on an intensive policy of repression so as to prevent the National Conference from succeeding at the elections.

My return journey from Kashmir was uneventful. Shah Nawaz Khan returned with me. Asaf Ali naturally stayed on



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because of the trial. He will remain there so long as this trial lasts.

(Submitted to the C.W.C. at Wardha on 12 August, 1946.  
A.I.C.C. File No. G-16, 1946-48 pp. 89-97. N.M.M.L.)



CHAPTER 7

**INTEGRATE KASHMIR —  
MOOKERJEE-NEHRU AND  
ABDULLAH CORRESPONDENCE**

I

77, Asutosh Mookerjee Road,  
Calcutta 25  
9th January, 1953.

My dear Jawaharlal Ji,

May I take the liberty of addressing you on the situation in Jammu ? We discussed this matter at Kanpur session of Bhar-tiya Jana Sangh and it was the unanimous wish of every one that I should directly approach you and Sheikh Abdullah on the subject. I know that you do not see eye-to-eye with many of us on this issue. Yet I am writing to you in the hope that you will keep an open mind and try to appreciate the view-point of those who may differ from you on this matter. It is vitally important that the circumstances that have led to the present movement should be impartially reviewed and effort made to arrive at a speedy and peaceful settlement which will be fair and just to all concerned.

The movement is not on the wane, although more than six weeks have passed since its commencement. It has spread far and wide and is receiving the support of large sections of people in urban and rural areas, all obviously not being members of the Praja Parishad.



It is not correct to say that the movement has been instigated by parties or groups of individuals outside the State of Jammu and Kashmir. The issues which have been raised have a direct appeal to the people and the responsibility for guiding the movement has fallen on their own representatives. Many of us have no doubt sympathised with the object for which the struggle has been launched, because we sincerely feel the cause is just and right; but the main brunt of the sufferings has till now fallen on local people who have depended primarily on their own resources.

It is not also correct to say that the sponsors of the movement have acted recklessly and precipitated a crisis. Repeated efforts were made by the Praja Parishad leaders and others to have an amicable settlement by constitutional means. Representations were sent to Dr. Rajendra Prasad, to yourself, to the Minister of states and to Sheikh Abdullah. Interviews were sought for with some of them, but such requests on most occasions were not granted. Conferences were held from time to time and after mature deliberations the view-points of the Praja Parishad and others supporting it were publicly expressed. Apparently the authorities concerned paid no heed to such manifestations of public opinion and even treated them with contempt. On the other hand, some of the matters regarding which acute controversy had been raised were proceeded with by the authorities themselves with undue haste, thus precipitating a crisis.

Allegations of violence, of use of arms and of subversive activities have been freely made against the sponsors and supporters of the movement. This has been stoutly denied. If this matter has to be probed into, it must be done by some impartial authority and the spokesmen of the Praja Parishad have declared they are prepared to face an independent enquiry. Repeated references to use of violent methods have been made by the authorities in justification of the violence employed by themselves.



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During the last six weeks we have witnessed a continued reign of repression. In fact, in Parliament you went to the length of saying that if it were left in your hands you would have used even greater force and suppressed the agitation. Reports reaching us are contradictory in nature. While the official reports attempt to suppress the extent of the movement and the volume of repression, information received through non-official sources indicates a widely different state of affairs. Arrest of about 1,300 persons, lathi-charges, tear-gassing, shooting, transfer of ill-clad prisoners to severely cold regions, confiscation of properties are the methods that are said to have been resorted to. This has not suppressed the agitation. It has sought to intensify it.

It is high time that both you and Sheikh Abdullah should realise that this movement will not be suppressed by force or repression. Certain basic demands have been made, fears and doubts have been expressed and they must be dealt with in a proper manner. In some of your recent utterances you have laid great stress on the need for appreciating each other's point of view, on tolerance, on carrying people with Government not by force but by good will and understanding. Yet when it comes to actual administration, it appears that the same old methods which used to disfigure British administration are still in operation, sometimes with even greater vehemence than before. The problem of Jammu and Kashmir should not be treated as a party issue. It is a national problem and every effort should be made to present a united front.

Very often the issues are sought to be clouded by referring to the alleged past activities of the Praja Parishad. For obvious reasons it will be better to deal with the actual issues on their merits. If once we start questioning the motives of each other, the atmosphere will become all the more polluted. Please do not overlook that a good number of Moslems in Jammu have also joined the movement. I would earnestly urge upon you to consider the effect of the movement on the rest of India. The



State of Jammu and Kashmir is a part of the Indian Union and as such it is perfectly open to the people of the rest of India to interest themselves in the affairs of the State. India has risked a good deal for the sake of this particular State. For this there is no regret in any quarter. At the same time we have to be careful that the sacrifice made by India does not go in vain for the mistaken policy pursued by the authorities.

We are anxious that the question of accession of the State of Jammu and Kashmir to India should be finally and irrevocably settled. This is still supposed to be depending on a plebiscite. The recent developments in the Security Council amply indicate that we can expect no fair deal from this quarter. There should be no question of taking a general plebiscite for determining the will of the people. The Assembly formed in the State of Jammu and Kashmir is based on adult franchise. Even though doubts have been expressed regarding the validity of some of the elections, specially from Jammu, this body may pass a resolution in favour of accession to India and this may be considered sufficient for ascertaining the will of the people. This will set at rest all the uncertainty that exists on the question of the State's ultimate accession to India. I was told by Sheikh Abdullah that he and his colleagues were willing to adopt this procedure but you were not prepared to approve of it. Perhaps at that time you expected that there might be some possibility of a satisfactory settlement through the Security Council. Now that this had proved abortive, we should declare our next line of action with as little delay as possible and thus avoid complications both at home and abroad.

The Praja Parishad rightly puts a pertinent question. If the ultimate accession of the State to India continues to be undecided and if the decision will have to be based on a general plebiscite of the people, what will be the fate of Jammu in case the majority of the people, consisting of Moslems, vote against India ? Pray do not brush aside this point as fantastic. We cannot forget our bitter experience regarding the vivisection of



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India nor can we ignore the tragic fate of North Western Frontier Province inspite of the patriotic and progressive leadership of Khan Abdul Gaffar Khan and his worthy brother. A general plebiscite on a highly controversial issue, which may easily give rise to communal passions, specially on account of pakistani propaganda, is not at all a safe criterion for knowing the real will of the people. The people of Jammu naturally abhor the prospect of facing destitution as refugees. They are not prepared to sever their connection with India under any circumstances, plebiscite or no plebiscite. The greater the delay in having this moot question decided once for all, the greater will be the complications and possibilities of unrest.

Once it is settled that a final decision has been taken on the question of accession, two matters will have to be taken up. One relates to the recovery of one-third territory of Jammu and Kashmir which is now in occupation of Pakistan, Even though Pakistan has been proved to be the aggressor, the Security Council will not help us in this respect. Pakistan will not voluntarily abandon its control over this area. How then, it is asked, are we going to get this back? You have always evaded this question. The time has come when we should know what exactly you propose to do about this matter. It will be nothing short of national disgrace and humiliation, if we fail to regain this lost portion of our own territory.

The other question relates to the extent of accession of the State of Jammu and Kashmir with India. No doubt Article 370 lays down that apart from defence, foreign relations and communications, accession with regard to other matters will be determined with the previous consent of the Government of Jammu and Kashmir. As you will remember, this is a temporary provision and Sri Gopalaswami Iyengar who had moved the adoption of this Article, had clearly indicated that this was so and that it was the hope and wish of everybody concerned that the State of Jammu and Kashmir would finally accede to India just as other States had done. If therefore, the



people of Jammu demand that accession should be on the same lines as in the case of other States, they do not say anything that is arbitrary or extraordinary. This is their natural wish and they are guided by patriotic and national motives. They only emphasise the need for maintaining a consolidated structure of Free and United India.

Sheikh Abdullah and some of his colleagues were members of the constituent Assembly which had drawn up India's Constitution. The onus, therefore, lies on them and not on others who differ from them—if they claim that the State of Jammu and Kashmir should receive special treatment accession in their case should be of a loose character. The provision for an elected President or a separate flag has to be looked at from the point of view of those who honestly feel that this may be destructive of the political unity of India which it must be the duty of every State and citizen to maintain at any cost. If similar demands were made by other States, it would give momentum to dangerous tendencies of separatism. Again the delay in giving effect to some of the agreed proposals as announced by you in July last, dealing with matters such as citizenship, fundamental rights, supreme court, President's emergency powers etc. has created great misgivings in the minds of the people.

Repression will be no answer to the fundamental question which the people of Jammu are asking today—namely, have they not the inherent right to demand that they should be governed by the same Constitution as has been made applicable to the rest of India? If the people of Kashmir Valley think otherwise, must Jammu also suffer because of such unwillingness to merge completely with India? *Ek nisan, ek vidhan, ek pradhan*—one flag, one constitution, one president—represents a highly patriotic and emotional slogan with which the people are carrying on their struggle. You or Sheikh Abdullah cannot answer this question by imprisonment or bullets. How this has to be solved is a matter for negotiation and statesmanship.



None knows better than you the peculiar characteristics of different parts of the State of Jammu and Kashmir. Kashmir valley, Jammu and Ladakh represent different types of people; their languages, their outlook, their environments, their habits and modes of life, their occupation differ from one another in many vital respects. Historically and politically they came to be united into one homogeneous unit which we naturally should not like to disrupt or destroy. The task of maintaining natural bonds of unity amongst such people can be done not through force or coercion but by creating a common atmosphere of good-will and confidence. It is a big psychological problem also and requires delicate and careful handling. You and Sheikh Abdullah could have done a lot in this behalf if you had only proceeded on right lines and not misunderstood every one who might have differed from you in respect of certain vital matters concerning the future set-up of the State.

As you know several thousands of people, previously residing in the Pakistan-occupied area of the State, are living as refugees in India. They mostly belong to Jammu. On some pretext or other their proper rehabilitation within the State itself has not been rendered possible and they are passing miserable days. They have been even refused permission to withdraw their own deposits from the State Bank at Srinagar on technical grounds. Again more than four thousand Hindu and Sikh women were abducted from this area by Pakistani raiders. Nothing has been done to recover them. Constant abuses of the attacks on Dogras as a class by Sheikh Abdullah and his colleagues have created an atmosphere of distrust and bitterness. Land laws have been drastically altered in the State and they are undoubtedly of very great significance. But no one has cared to examine how they have reacted even on comparatively poorer people in Jammu, whose economic existence has thereby been rendered extremely difficult. These and similar other matters must be borne in mind if we expect a peaceful and permanent solution of the problem.



I have not referred in this letter to other serious allegations regarding the administration and policy of discrimination followed by Sheikh Abdullah's Government. These matters can be considered by some impartial authority on the basis of facts and figures which can be supplied to you or to Sheikh Abdullah.

People who are facing sacrifice and suffering cheerfully are not enemies of India or of Jammu and Kashmir. It is absurd to dub them as friends of Pakistan. Pakistan knows very well that if their stand is accepted, there is no earthly possibility of its ever annexing Jammu and Kashmir to its territory. I would earnestly request you to consult Sheikh Abdullah and as a first step release all those who have been arrested and withdraw the vindictive punishments and orders inflicted on them. This should be followed by a conference at which matters of dispute should be discussed and a solution sought to be reached which would be to the good of India as a whole and would in every way be consistent with the rights and welfare of the people of Jammu and Kashmir. Pray do not stand on false prestige or imitate the methods followed by British administrators who thought that by ruthless repression they could solve any matter affecting the rights and liberties of the people. You have spoken eloquently about Gandhian technique in solving disputes. My appeal to you is that you should apply this in solving the impasse that threatens not only the peace of Jammu and Kashmir but may also have serious repercussions affecting India as a whole. The movement is spreading and it will spread more and even extend to parts of India, if repression is the only remedy that the authorities have the wisdom to apply.

I know you have abused us, you have ridiculed us and have seen nothing good in our criticisms. Much though I have differed from you on this issue, I have tried to appreciate your stand-point, your fears and your hopes. And it is from this point of view that I have ventured to address this letter to you



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and to ask you to appreciate the views of your opponents and proceed in a manner different from what you are following today. I hope and trust that my appeal to you will not go in vain and that you will take immediate steps for tackling the serious situation which is fast developing in Jammu.

I have not addressed this letter to you at the request of the Praja Parishad leaders. I have every hope that if you make the proper approach and proceed in appreciation of their basic demands, an honourable settlement can and will be affected.

I am sending a copy of this letter to Sheikh Abdullah. If you want me to discuss the matter personally with you and Sheikh Abdullah, you may let me know and I shall gladly abide by your wish.

Yours sincerely,  
(Sd.) Syama Prasad Mookerjee

Sri Jawaharlal Nehru,  
Prime Minister of India,  
New Delhi.

II

77, Asutosh Mookerjee Road  
Calcutta 25.  
January 9, 1953.

My dear Sheikh Sahib,

I am enclosing copy of a letter which I am addressing to Sri Jawaharlal Nehru. Much of what has been stated in the letter is also meant for you, and I do not wish to repeat what I have said in it. I would earnestly request you to take the initiative and bring the Jammu movement to an end. You have proved through your own career that repression can never suppress a popular movement. History will repeat itself in this case also.



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You will have to appreciate the point of view of your opponents and, as a democratic leader, meet the just and legitimate demands of those who are struggling against you and Mr. Nehru. The issues at stake affect not only your State but the whole of India and I hope you will move before the situation further deteriorates.

I hope you will appreciate the spirit in which I am writing to you and Mr. Nehru. Abuses and counter-abuses will give us no remedy. The issues are capable of being discussed in a spirit of understanding and good faith and a solution reached which will be fair and just to all concerned.

Yours sincerely,  
(Sd.) Syama Prasad Mookerjee

Sheikh Md. Abdullah,  
Chief Minister,  
JAMMU & KASHMIR.  
Encl : Copy of letter.

### III

New Delhi.  
January 10. 1953.

My dear Syama Prasad,

I have today received your letter of the 9th January. I am replying to it immediately as I shall be going away soon from Delhi on my way to Hyderabad.

There is no question of prestige about our dealing with the situation in Jammu. If any course appears to us to be right, we shall certainly follow it. You say that there has been a reign of repression in Jammu, and further that there has been no violence on the part of the Praja Parishad or their supporters. Surely it does not require any proof to substantiate the fact that



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violence on a widespread scale has been indulged in by the Praja Parishad people. The fact that a large number of officers and policemen have been injured and damage done to public buildings, is adequate proof of violence.

I am naturally interested in developments in Jammu and have followed them closely. I have not only what might be called official reports, but plenty of unofficial sources of information. All of these agree that the Jammu & Kashmir Government has tried to avoid repressive measures and, considering the circumstances, has shown considerable restraint. Quite apart from the merits of the case, I should like you to put yourself in the position of any Government which has to face this type of agitation accompanied by violence. Either a Government abdicates or it controls the situation. There is no middle way. It is true that in the attempt to control a situation excesses may be indulged in on the part of the authorities, but, as I have said above, my information is to the contrary. I cannot of course speak about every detail.

You say that interviews were sought with us and were not granted. I am not aware of any interview asked for from me during recent months. All I saw were threats in the public press.

I hope I am capable of keeping an open mind. Anyhow, I try to do so and I am prepared to consider any suggestion. In this matter, more than any other, I have to give the closest thought to every development. What happens in Jammu is not a local matter. It has the largest implications on the whole Kashmir issue, on the future of the J.&K. State, on the U.N. etc. The question has to be viewed in that larger context. It amazes me that this context is forgotten or ignored or no value attached to it by those who support this Jammu agitation. To me it seems perfectly clear that the Jammu agitation, if it succeeded, would ruin our entire case relating to the State. Indeed, nothing could be more injurious to the objectives proclaimed by the



Praja Parishad than this agitation. How they expect to achieve their objectives in this way, passes my comprehension. You have some knowledge of the background of this entire Kashmir issue and I would like you to think over this whole question.

Suppose some remnants of the Muslim League in the Valley of Kashmir started an agitation which was anti-India and pro- Pakistan, how should we deal with it ? What effect do you think has the Praja Parishad agitation on such persons in the Valley or elsewhere ? If you open Pandora's box, then all kinds of unexpected and undesirable things come out of it. A consistent policy has to be followed in both cases.

You have referred to the agreement arrived at between the Government of India and the J. and K. State Government some months ago and have criticized it. We dealt with this matter at the time fully and I tried to explain the reasons for it. Obviously, the case of Jammu and Kashmir State cannot be considered in exactly the same light as other States in India. That requires no argument. It is not a question of our wishes or desires but of facts and rather complicated facts. Having considered all these facts, we came to a certain decision which I think was fair and which tied up the State to India very firmly. Ultimately it is not some kind of legal decision or change in the Constitution that will finally settle this question of the State. There are other factors overriding constitutional factors that are at play, including international factors. Foreign policy does not just mirror our wishes, nor is it a mere exhibition of temper. It has to be equated to the facts of the situation and the nation's strength to give effect to its wishes.

You refer to Sheikh Abdullah telling you that he and his colleagues were willing to get their Constituent Assembly to pass a resolution about the State's accession to India, but that I did not approve of it. This is partly true; but it refers to a particular time. When the Constituent Assembly first started functioning this proposal was considered. Our advice then was



that it would not be wise to pass that resolution immediately as this would lead to the conclusion that the Assembly had been called just for that purpose and not for other purposes. As a matter of fact, according to us, the accession was complete and a resolution of the Constituent Assembly, though welcome, could not have made it more complete. The question was not of adding to that accession, but of our attitude towards the U.N. We had made this clear and we wanted to adhere to what we had stated. That is a large issue. It is of course completely open to the Constituent Assembly to pass such a resolution. As a matter of fact, the agreement between the Government of India and the J. and K. State Government some months ago was patently not only a confirmation of that accession, but acting up to it. Without accession that could not have happened.

You refer to that agreement not having been given effect to. That is true. But there have been some difficulties in the way which delayed matters. The very first question that was taken up took some months to decide. The other matters will not doubt be taken up.

There is no question of the Head of the Jammu and Kashmir State being some kind of a rival President. He is the Head of a State just like the Head of any other State in India. He can only be appointed after the approval of the President of India.

I am quite prepared, and I am sure that Sheikh Abdullah is prepared, to consider any grievances of the Jammu people and try to rectify them where this is possible. But the demands of the Praja Parishad are basic constitutional issues which cannot be given effect to for obvious reasons. They are trying to decide a very difficult and complicated constitutional question by methods or war. It does not require much thought to demonstrate that this method cannot yield those results, whatever the merits may be. It can only injure the whole cause of the Jammu and Kashmir State and in particular what



presumably some of the Jammu people demand. You talk of separatism. I agree with you entirely that we should not encourage this tendency. But that is exactly what the Praja Parishad agitation is doing.

You should know how anxious I am to settle finally the whole J. and K. State issue. That is not only because of the State itself, but also because of its large repercussions in India. But this issue has got tremendously complicated and there is not magic way of solving it by decree or Act of Parliament as some people seem to imagine. There are many other issues in the world today which remain unsolved, in spite of the greatest powers wishing to solve them. We have to take into consideration these various factors and not allow our wishes to run away with us.

You refer to rehabilitation of refugees as well as to abducted women. All these years we have been consistently trying to deal with these matters. A large number of abducted women have been recovered and large number of refugees in India have also been sent back for rehabilitation and settled in the State. It is not true to say that nothing has been done.

The right way to approach the Jammu question is to stop this agitation completely and then deal with any grievances that may exist. I hope you will exercise your influence with the Praja Parishad in this direction.

I shall gladly meet you if you so wish. But I am going away to Bombay and Hyderabad and shall be away for about ten days or so. I understand that Sheikh Abdullah will also be going to Hyderabad.

Yours sincerely.  
(Sd.) Jawaharlal Nehru

Dr. Syama Prasad Mookerjee, M.P.,  
77, Asutosh Mookerjee Road, Calcutta 25.



IV

77, Asutosh Mookerjee Road,  
Calcutta 25  
The 3rd February, 1953.

My dear Jawaharlalji,

I received your reply to my latter to you on the Kashmir situation some time ago. Since then I have been reading some of your speeches and those delivered by Sheikh Abdullah. I have no desire to carry on a protracted correspondence with you on this matter. But the issues involved are so serious that I am taking the liberty of writing to you again. One common feature of the speeches has been an abundance of abuses and vituperations which you have poured forth on those who differ from you. You have ascribed to us all sorts of base motives and have been dubbed us as betrayers of the country's interest. I have no desire to emulate you in this respect. Outbursts of anger and passion will not help us in solving any big problem. It is obvious that we do not see eye-to-eye with each other on this momentous issue. Let us, however, try to argue with each other and proceed logically and see whether any solution can be reached.

I have read your reply and your speeches and those of Sheikh Abdullah with considerable care, but unfortunately they evade the real issues.

Let me, first of all, deal with your oft-repeated charge of communalism and narrowness against us. This is a most unfair charge and unconsciously you have been recently indulging in such attacks only to hide the weakness of your case. Our approach to the problem is actuated by the highest national and patriotic considerations. The solution that we are asking for is far from communal—nor does it seek to disunite or disintegrate India. I would beg of you to think in your cool moments how



in your life's history your failure to stand against Moslem communalism in India has resulted in disastrous consequences. Perhaps you and others followed a policy of concessions and appeasement with the highest motives, but in the ultimate end the country came to be partitioned against your own oft-repeated declarations to the contrary. At that time a factor of very great importance which worked against us was the existence of an alien power which wanted to function on the policy of divide and rule. If to-day we want to be cautious and to avoid the tragic follies of the past, we do so in the highest interest of the country and not for any narrow communal ends or for any sectional interest.

The points which you have got to settle regarding Kashmir are the following :—

(1) The Praja Parishad has considerable popular backing. As one who knows mass mind, you will realise that no popular movement can be crushed by force. Even though you may not agree with the demand of the Praja Parishad, you must place your self in the position of the promoters and supporters of the movement and try to understand their viewpoints. Both you and Sheikh Abdullah have made long references to the alleged past history of the Praja Parishad. I have no desire to enter into a controversy with you on this point but much of what you have said is not based on facts. Such survey is, in fact irrelevant at this juncture. What is to be decided is the merit of the issues raised by the Praja Parishad.

(2) The first question raised is when and how will the accession of the State of Jammu and Kashmir to India be finally settled ? If this depends on plebiscite, what will be the form of such plebiscite ? We do not want this to be dependent on the intervention of U.N.O. or negotiations with Pakistan. We went to the U.N.O. not for settlement of the issue of accession but for protection against aggression committed by Pakistan on India, which we claimed, included the State of Jammu and



Kashmir. There is no hope for any just settlement through the U.N.O. No doubt it has been stated over and again by you that accession will be in accordance with the will of the people of Jammu and Kashmir. Our simple demand is that, that will should now be expressed once for all, and not left to an uncertain future. My own suggestion has been that the Legislative Assembly of Jammu and Kashmir which has been elected on adult franchise may pass a resolution accepting final accession and the matter may be considered as irrevocably decided so far as India is concerned. Your personal declarations or Sheikh Abdullah's speeches will not be sufficient. There must be a constitutional made of settling this issue. Why do you and Sheikh Abdullah not accept the suggestion and settle one of the main points raised by the Praja Parishad ? please be specific on this issue and let us know that if this suggestion is not acceptable, what is your alternative proposal for finalising accession.

(3) The second question is with regard to the one-third territory of the State of Jammu and Kashmir which is now in the occupation of Pakistan. You have expressed yourself in thundering language against those who want to partition the State of Jammu and Kashmir. We do not want partition, and your charges are imaginary. But you seem to forget that the State of Jammu and Kashmir is already partitioned by Pakistan and the real question is whether you and Sheikh Abdullah propose to acquiesce in this partition. You have always evaded this question. Please do not sidetrack the issue and let the public of India know how and when, if at all, we are going to get back this portion of our cherished territory.

(4) The third point relates to the subjects in respect of which accession will take place. The Praja Parishad wants, and we whole-heartedly agree, that the entire State of Jammu and Kashmir should be governed in accordance with the same constitution that applies to the rest of India. Is there anything communal or reactionary or anti-national about it ? If India's constitution is good enough for the rest of India, why should it



not be acceptable to the State of Jammu and Kashmir ? Sheikh Abdullah is in the habit of retorting that Article 370 of the Constitution gives the State of Jammu and Kashmir a special status. You and I perfectly know the history of his Article. Assuming that accession in relation to subjects other than Defence, Foreign Affairs and Communications, is to take place with the consent of the Government of Jammu and Kashmir, why can we not persuade that Government to agree to abide by the very constitution to which Sheikh Abdullah and his colleagues were a party as members of the Constituent Assembly of India ? If it is felt that there are some matters in respect of which our constitution should be amended in order to meet the special needs of the State of Jammu and Kashmir, let us have a full picture of it and know what are the specific provisions which should be amended. We are prepared to discuss the matter with an open mind. There are, however, certain basic matters in respect of which the oneness of India must be maintained at any cost. They relate to such subjects as fundamental rights, rights of citizenship, jurisdiction of Supreme Court, functions and constitution of High Court, President's powers, national planning and financial integration. With regard to some of these matters, there was an agreement between the Government of India and Sheikh Abdullah's Government in July last to implement provisions of our constitution. We were not satisfied about the deviations made, but even this modified application of the Constitution has been unreasonably and unnecessarily delayed, thus creating doubts and misgivings in the minds of the public. The position of the Head of the State and the adoption of one flag for the whole of India are also essential features of the oneness of India. It is amazing how the move of separatism pursued by Sheikh Abdullah and his colleagues is being applauded by you as national and patriotic and the genuine desire on the part of the Praja Parishad to secure the fundamental unity and integrity of India and to be governed as common Indian citizen is being dubbed as treacherous conduct. Your



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letter and your speeches give no satisfactory answer to these basic points raised by the Praja Parishad.

(5) There are many grievances of the people of Jammu relating to such matters as their economic advance, their employment, rehabilitation of refugees, division of border districts on communal lines which require immediate investigation by an impartial Commission. Delay in dealing with these matters is intensifying the agitation.

(6) It is undoubtedly true that we should do nothing which may weaken India's position or strengthen the hands of our enemy. This aspect you, of all persons, must bear in mind as the Prime Minister of India. It is through your mistaken policy and your failure to understand the view-points of those who differ from you, that the country is being brought to the brink of disaster.

I have written to you with the sole desire of finding out if some way can still be found for bringing the Jammu movement to an end. The only way is to release all those who have been arrested and to call a conference where all the problems can be discussed in an atmosphere of calmness and with the sole desire to arrive at decisions which will be fair and just to all concerned. Repression, imprisonment, lathi-charges and bullets will never crush this movement. In fact, it will spread, go deeper and affect India as well. Recently some important persons wanted to visit Jammu to see what was happening there and your Government have deemed fit to refuse them permission to travel to that State. Yet you claim that this is a part of the Indian Union and Sheikh Abdullah asserts that there is nothing to hide.

The Working Committee of the Jana Sangh is meeting in Delhi on 6th, 7th & 8th February to discuss the Kashmir situation. We cannot indefinitely continue as silent spectators of the sufferings of a section of our countrymen whose cause is noble



an just and is capable of being sympathetically considered by any Government which have the well-being of the country at heart. That I am writing to you again in spite of your threats, abuses and rebuffs will amply show that we have no desire to precipitate a crisis. I still hope some way for a peaceful settlement will be found so that we may work unitedly on this matter, irrespective of political differences. I shall reach Delhi on the evening of 5th. If you feel that it will be better for me to come and have a talk with you on the morning of 6th, you may kindly send me a message at my Delhi address—30, Tughlak Crescent, New Delhi.

Yours sincerely,  
(Sd.) Syama Prasad Mookerjee.

Shri Jawaharlal Nehru,  
Prime Minister of India,  
New Delhi.

V

77, Asutosh Mookerjee Road,  
Calcutta-25.  
3rd February, 1953.

My dear Sheikh Sahib

I had forwarded to you copy of my first letter to Shri Jawaharlal Nehru on 9th January. I duly received his reply. I have not, however, been favoured with even an acknowledgement from you. Inspite of this I am sending herewith copy of my reply to Shri Nehru.

I shall reach Delhi on the evening of 5th February. It is tragic you shall completely misunderstand those who are differing from you and are proceeding in a manner which may be disastrous to India including the State of Jammu and Kashmir.



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I still hope you will be able to rise equal to the occasion and find a way for peaceful settlement.

Yours sincerely,  
(Sd.) Syama Prasad Mookerjee

Sheikh Md. Abdullah,  
Chief Minister,  
Jammu and Kashmir

VI

Jammu Tawi  
February 4, 1953.

My dear Doctor Saheb,

I received your letter of 9th January enclosing a copy of your letter to Shree Nehru only on my return from Hyderabad. Consequently, there has been some delay in replying to it.

I thank you for having given me this opportunity of writing to you on the Jammu situation in which you have evinced so much interest. When I met you in Srinagar in September last year, I had explained to you to detail our point of view in regard to some important issues pertaining to the State of Jammu and Kashmir. I had the satisfaction that as a result of that meeting you had somewhat appreciated our position because soon after you publicly spoke in more or less sympathetic terms about the difficulties that I and my colleagues were facing.

On this occasion, however, I regret to note that you do not view with dispassionate understanding the peculiar situation that obtains at present in Jammu. On the contrary, you charge the Government with using repressive measures against the agitators. you seem to be of the opinion that the responsibility



for this situation lies with us. I wish you had not drawn such hasty conclusions.

You have referred to the legitimate demands of the Praja Parishad and have pleaded that they should be accepted. Before I touch this aspect we might pertinently examine the attitude of the Parishad to the question of Accession itself. There is conclusive evidence to show that the Praja Parishad is determined to force a solution of the entire Kashmir issue on communal lines. Its leaders have expressed their views publicly to this effect and I give below a few extracts from their speeches. These views leave no doubt as to the real motives underlying the present agitation :-

"Our way is not with Kashmir. Sheikh is not acceptable to us. We cannot tolerate Jammu and Ladakh going to the winds. We want the people to have blind faith in Praja Parishad and get ready by putting shrouds to attain our goal."

(Shree Madan Lal Secy. City Praja Parishad,  
at Samba on 20.10.52)

"We would put an end to Sh. Abdullah and other workers of the National Conference. We will such their blood. We will root out this Government and send them to Kashmir. We do not like this Raj"

(Shree Reshi Kumar Kaushal, Member,  
Praja Parishad Working Committee,  
at Reasi on 23.11.52.)

What is really intended has been given out in a recent publication of the Praja Parishad. It says:-

".... The present Constituent Assembly consists of 75 members. Its detail is as follows:—



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<i>Province</i>	<i>General.</i>	<i>Muslim.</i>	<i>Buddhist.</i>	<i>Total</i>
Kashmir	3	41	..	44
Jammu	21	8	..	29
Ladakh	..	1	1	2
Total	24	50	1	75

These figures clearly show that Sheikh Abdullah's Muslim dominance cannot and should not be forced upon Hindu Buddhists of Jammu and Ladakh...."

(Page 12 of the pamphlet entitled  
 "Jammu rejects a separate Constitution  
 for Jammu and Kashmir State"  
 issued by the Publicity Secretary,  
 All Jammu and Kashmir  
 Praja Parishad, Jammu)

You have referred to the participation of Muslims in the present agitation. I wonder whether in view of these avowedly communal views of the Praja Parishad and its past treatment of the Muslims, any sane Muslim would seriously think of associating with the present agitation. On the contrary, the Government have received representations from Muslims living the disturbed areas for protection against the Parishad terrorism.

Let me come to what you have termed as the legitimate demands of the Praja Parishad. You refer to the sense of insecurity in regard to the future of Jammu from which the people here suffer. This uncertainty is not confined to Jammu alone. It is shared by the people of Kashmir and Ladakh as well. But what is the way out? It does not lie with me or with our Government to settle a dispute which is pending before the U.N.O. All of us are certainly eager that a speedy and satisfactory settlement should be arrived at. But the Praja Parishad has



flung the demand in such a way as if I stand in the way of the solution of the problem.

Let me mention here that there seems to be a fundamental difference of approach to the Kashmir problem between various political parties in India. You refer to the Kashmir question being a national question. This would naturally presuppose a uniformity in the viewpoint of different parties in India. But unfortunately, much ill-informed and contradictory comment has been offered in regard to the position of the State. Not only is there lack of unanimity in regard to the objective but also in the methods suggested for achieving it. This adds to the obscurity of the issue nationally as well as internationally.

It is a legitimate right of every Indian to understand properly the Kashmir problem. But when such understanding becomes vitiated, it naturally warps judgement. I understand that the Jan Sangh has secured the cooperation of Master Tara Singh, the Akali leader. It is interesting to know what Masterji has to say about Kashmir. In his speech at Lucknow he is reported to have said:

"Kashmir belonged to Pakistan. It is Muslim State. But I claim it in lieu of the property that the refugees have left in West Pakistan."

He has a solution to the problem as he says about the Kashmir Muslims that they should be driven to Pakistan, "the country to which the Kashmir Muslims really belong."

I do not know what to say to this piece of wisdom and statesmanship.

Then again, Mr. N.C. Chatterjee, the President of the Hindu Mahasabha, in his presidential address at Bhopal, while pleading for changing the constitution to bring it in conformity with



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Hindu ideals, said in regard to Kashmir that the Hindu Mahasabha would strive.

"To demand the withdrawal of the Kashmir issue from the U.N.O. and also to demand the complete accession of the State of Jammu & Kashmir to India and the acceptance of the Indian constitution."

The Jan Sangh has also its own views in regard to the future of the State some of which you have expressed from time to time. At a Press conference recently you are reported to have said.

"If the people of the Kashmir Valley think otherwise there can be specific provision for this zone for the time being. We would readily agree to treat the Valley with Sheikh Abdullah as its head in any special manner and for such time as he would like but Jammu and Ladakh must be fully integrated with India according to the wishes of the people. Let me repeat that I do not want Jammu and Kashmir to be partitioned. But if Sheikh Abdulla is adamant, Jammu and Ladakh must not be sacrificed but the valley may be a separate State within the Indian Union, receiving all necessary subventions and being treated constitutionally in a manner as Sheikh Abdullah and his advisers desire."

On the basis of such fundamentally irreconcilable approaches, I do not think that the Kashmir question is being treated as a national question. There is no uniformity in this approach and consequently I do not know which point of view should be considered by us as reasonable or representative. Mention of this diversity of views about Kashmir is relevant as you have referred to "the just and legitimate demands of the Praja Parishad" who are struggling, as you say, against Shree Nehru and myself for the fulfilment of these demands.



In order to restore a sense of security among the Jammu Hindus, you suggest that the State Constituent Assembly should pass a resolution ratifying finally the accession of the State to India. At the same time, you feel that this Assembly is not representative of the people of Jammu. It passes my understanding as to how the decision about accession can make it suddenly representative. But, apart from this, it has got to be considered what gains will accrue to India and to the State if such a decision is taken while the dispute is still pending before the U.N.O. We are prepared to pass the resolution, but the Government of India in its turn must be in a position to fulfil all the obligations flowing from such a decision. You will perhaps agree that in the event the Government of India declare that the decision of the Constituent Assembly is irrevocable, the consideration that would weigh with it would be that it would come into conflict with the U.N.O. It is not in a position to withdraw the case. The alternative for India would be to withdraw from that organisation and bear the odium of all other members. The question is whether India is in a position to stand in isolation particularly when all the sympathies of foreign powers would be on the side of Pakistan. In this condition of isolation, the risk of an armed conflict cannot also be over-ruled.

In case the Government of India is prepared to take such a step in order to maintain the validity of the Constituent Assembly's decision, the decision can be taken without loss of much time. But if this cannot be done, may I ask what goodwill the resolution of the Assembly do if the political uncertainty about the State's future continues even after this? the fulfilment of a mere formality would not satisfy those who are anxious for a permanent settlement of the question.

Apart from the consideration stated above your suggestion of using the Constituent Assembly as means to finally ratify the accession would clearly appear as a back door solution of the problem. Far from that, we suggest this solution only because



necessary conditions for an impartial plebiscite have not been provided so far. I have no doubt in my mind that if those conditions are forthcoming and the necessary atmosphere for recording the will of the people is created, the decision is bound to be in our favour.

You are not perhaps unaware of the attempts that are being made by Pakistan and other interested quarters to force a decision by disrupting the unity of State. If we have been able to stand our own against this hostility, it was precisely because we were keen to maintain the stability of the State by emphasising the need for unity. Once the ranks of the State's people are divided, any solution can be foisted on them. But you do not seem to realise clearly how this unity can be achieved. While agreeing that the balance in the State should not be disturbed, you at the same time plead for the acceptance of the demand of the Praja Parishad, for the complete merger of Jammu irrespective of what happens to the rest of the State. You even believe that this course would compel Pakistan to give up its claim finally. I have not been able to understand how this victory can be achieved. We cannot ignore that the activities of the Praja Parishad, which you justify, are meanwhile working as a dangerous influence against the integrity and unity of the State. You cannot be unaware of the possible repercussions in Kashmir as a result of this agitation which is led by a militant Hindu leadership and which in the past has made its attitude towards the Muslims amply clear. If the agitation grows, unforeseen forces may be released which would seriously threaten the foundations of the State. I cannot persuade myself to think that you want to solve the Kashmir problem through disintegration and chaos.

I do not know how the present constitutional position of the State can be adjusted with a demand for merger. More than anyone else, you are quite familiar with this position. Whatever has been done by the Government here is strictly in conformity with the Indian Constitution. And yet you speak about this



position in a manner which suggests that we have been flouting the Constitution. It is painful for me to note that even a person of your eminence should have been carried away by an emotional slogan like *ek pradhan, ek bidhan, ek nishan*. You seem to think that we are opposed to these symbols. By virtue of the State's accession and its constitutional relationship with India, all these symbols are supreme as much in our State as in any other. If internally there have been some variations in the policies of the State Government, it is precisely because the right has specifically been conceded to the State by the Indian Constitution. This arrangement has not been arrived at now but as early as 1949 when you happened to be a part of the Government.

It appears that you have not realised the implications of this constitutional position. I am sending with this letter a note which has been published by us. I hope you will give some thought to this aspect of the question so that you can appraise dispassionately the rights and obligations of the State Government as laid down by the Constitution. There is no vagueness about this position and the specific provisions of the Constitution form the foundation upon which the relationship of the State with India rests firmly. When talking about the constitutional aspect it is sometimes conveniently forgotten that the Praja Parishad wants that Article 370 should be expunged from the Constitution. So far as we are concerned, we have maintained that the special position accorded to the State can alone be the source of a growing unity and close association between the State and India. The Constituent Assembly of India took note of the special circumstances obtaining in the State and made provisions accordingly. But, if the basis of this relationship is sought to be altered, certain consequences are bound to follow for which all of us must be prepared.

In this connection, it is worth while to remark that many of the parties who are at present supporting the Praja Parishad are not satisfied with the present pattern of the Indian Constitution.



Some of them have demanded openly that it should conform to Hindu ideals. Others have been equally enthusiastic about their respective party flags. One such spokesman has recently said that his party would strive for replacement of the present national flag by a bhagwa flag. All these parties and elements are at the same time backing up the Praja Parishad agitation for what is called *ek bidhan, ek pradhan, ek nishan*. Such convenient devices may move some people for some time but there can be no doubt that the loyalty of many of these supporters of the Praja Parishad to the Constitution and its symbols is doubtful.

You have mentioned the agreements and complained that there has been delay in implementing them. This needs a clarification. You support the Praja Parishad demand for complete integration of the State or a part of it with India. In that case there can be no talk of the present agreements as these agreements concretely confirm the special position which has been granted to the State by the Constitution. The Praja Parishad has always opposed this and the present agitation has been started for the purpose of doing away with this special position which the State enjoys at present. I do not know what to make of this contradiction.

So far as we are concerned, we are committed to these agreements and all the decisions will certainly be implemented. But you have not perhaps considered that we had hardly implemented one of these decisions, viz, the election of the Sadar-i-Riyasat, when the Praja Parishad launched the agitation precisely against this decision which formed a part of the agreements. The Praja Parishad has made it clear that it is totally against the agreements and you have endorsed this view publicly. I do not know whether in view of this opposition, complaint in regard to the delay in the implementation of the agreements is justified. The problem is simple. If the Praja Parishad is for speeding implementation of the agreements, it would have to accept what has been conceded by the Constitu-



tion, viz, that the State has a special position in the India Union. In case this is not accepted, it would naturally mean that the agreements are also acceptable and that the Indian Constitution is sought to be amended so as to take away the special status of the Jammu and Kashmir State. I wish these two aspects were not confused.

Since you have referred to the agreements, may I say that on our side there has been no delay. The agreements, as you know, were arrived at in July last year and ratified by the two Houses of Parliament early in August. On August 11, the State Constituent Assembly ratified them and soon after, the issue of the election of the Sadar-i-Riyasat was taken up with the Government of India in order to have necessary adjustment effected in the Constitution. This took a long time as legal experts of the Government of India examined the question of procedure and this dragged on till 16th November. It was only on 17th November that the State Assembly elected the Sadar-i-Riyasat. The Sadar-i-Riyasat had hardly moved down to Jammu on 22nd November when the Praja Parishad launched its agitation, starting with black-flag demonstrations against the Sadar-i-Riyasat. The situation has since been such as to engage the entire attention of the Government for the maintenance of law and order. Naturally we cannot be expected to sit down to constitution making under these abnormal conditions.

I wish you would understand this position. May I ask whether such delicate issues can be solved under coercion or intimidation? However, I have no doubt in my mind that the trouble does not lie with any delay that may have or may not have occurred in taking decisions according to the agreements. The source of the conflict is basic and, as admitted by you it lies in the uncertainty in which the fate of the State is hanging at present. We voluntarily offered to associate ourselves with India and without compromise of basic principles we like this association to be abiding. But unfortunately, the Praja Parishad wants a decision for the Hindus of Jammu in mid stream. The



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feeling of anxiety which prompts some people to desire an early decision is understandable but the manner suggested for bringing it about is fraught with grave consequences. I do not know if the charge of separatism is deserved by us at the hands of those who would themselves like to partition the State on communal basis. The Praja Parishad leaders have made it clear that they will not rest till they have rid Jammu Hindus of what they call the hunting fear of Muslim domination of Kashmiris. To such an attitude, what answer can I offer?

For over two months now, ever since the Government moved down to Jammu, it has been facing grave and persistent challenges to its authority with the avowed purpose of disrupting the administration. These have culminated in open acts of violence and lawlessness. Public utilities have not been spared and public servants are assaulted and threatened in broad daylight. The consequent effect of this terrorism and lawlessness can well be imagined. The work of conducting normal administration has been made extremely difficult. Trade and Commerce have been seriously affected. The agitation has increasingly attracted the participation of many anti-social and lawless elements.

In face of grave provocations, the Government has exercised great restraint and forbearance. No Government charged with the responsibility of administration can function effectively without affording protection to its servants, public institutions and property. We had either to take suitable measures to restore law and order to surrender to the lawless elements. Even the authorities were, with considerable reluctance, compelled to use force on certain occasions when other methods failed to bring the situation under control. It has been established by impartial testimony that the conduct of the authorities has not been high handed or excessive. The judicial enquiry into Chhamb happenings conducted by a senior judge of the State, Mr. Brijnandan Lal, has justified the manner of handling



of the situation by the authorities there. In his findings he has observed:

"The police party was out-numbered by processionists and the tehsildar—magistrate apprehending imminent danger to life and property ordered fire to be opened. In these circumstances, I find that there was ample justification for ordering fire for dispersal of the unlawful assembly. In view of the grave and imminent danger to life and property, firing was even justified in self-defence".

You write about the Jammu situation in a way which would suggest that the agitation by the Praja Parishad has been the result of repression by the Government. I may assure you that we have never believed in the use of repressive measures against popular movements. But it should not be ignored that here in Jammu the agitation is not even remotely related to the basic problem touching the lives of common people. The Praja Parishad, using the weapon of violence, is trying to overthrow all the vestiges of an ordered Government. Any slackness on the part of the authorities would surely result in anarchic conditions.

You have referred to some grievances and allegations of discrimination against people of Jammu. I would have welcomed if you had sent them to me. This would have given me an opportunity of finding out as to where our administration had erred. I cannot claim that our administration is perfect, but if errors are pointed out to us concretely we shall be too happy to rectify them. None of us suffers from any false sense of prestige.

But I have on my own considered this aspect thoroughly. In this connection, a detailed examination was made to see if there had been unwittingly any discrimination against people of Jammu. I am sending a copy of a booklet which we have brought out to clear such an impression. I hope you will go



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through it with profit. As a matter of fact, if there has been any discrimination it has been in favour of the people of Jammu and not against them.

All the same, you will perhaps realize the magnitude of the tasks that we have been called upon to face. We had to grapple with war conditions, refugees rehabilitation, floods, famines and hosts of other gigantic problems. After the disasters of 1947, the paramount need of the State was stability. We had to put all our meagre resources towards this end. The generous assistance that we have received from the government and the people of India has been a source of great strength to us in this ordeal.

In view of these stupendous tasks, we do not deny that many problems still need our attention in Jammu as well as elsewhere. the Government is anxious to find ways of solving them. Whenever an opportunity occurs, the Government acts on its own initiative. As you may have learnt, it has recently set up a committee under the Chairmanship of the Chief Justice Mr. Janki Nath Wazir, to report on the working of some measures which the Government has adopted during the last five years. The Government will certainly devise suitable remedies in case the Committee finds that there are gaps or loopholes anywhere. The Government are eager to have constructive suggestions from all well-wishers of the people as well as their assistance and co-operation. We are keen to secure the maximum good-will of the people towards the measure which the Government undertakes for the benefit of the common people.

I note the reference to N.W.F. Provinces in your letter. Your fears of the result of a general plebiscite seem to arise from the 'tragic fate' that befell that Province. I regret to have to say that this reference is far from fair to the great movement which was built there by Khan Abdul Gaffar Khan under the inspiration of Gandhiji. The tragic results of the referendum in Frontier



Province were not, as everybody knows by now, due to any weakness in the Nationalist movement in that Province but to the circumstances which made a gift of it to Pakistan. The Frontier Province was first completely isolated from the rest of India and then the people of that unfortunate Province were asked to make their choice between India and Pakistan—exercise of the choice in favour of the former being impossible. In spite of these adverse circumstances Pakistan won the referendum by bare majority.

As regards the people of Jammu and Kashmir State, they made their choice for the secular ideal long before the partition of India took place. They successfully withstood the onslaughts of Pakistan leadership, their temptations and coercion and finally their wanton aggression in 1947. When Pakistan raiders were knocking at the very door of Srinagar, the Muslims of Kashmir offered their bravest sons as a sacrifice to protect their cherished ideals of secularism and human brotherhood. It happened at a time when they had nobody round about to render them assistance, when darkness surrounded them all-round, when their co-religionists were being brutally massacred at the hands of those very leaders of Praja Parishad who now claim their loyalty to the secular ideals of India. Since then the bonds of kinship between India and Kashmir have been greatly strengthened. The bravest sons of India, irrespective of caste, creed or colour, have shed their blood in order to defend the common ideals of the people of India and Kashmir. Millions of our brothers and sisters in India have rendered assistance to their hard-pressed brethren in Kashmir. To entertain the doubts that the Muslims of Kashmir would now give up their secular ideals would be uncharitable, although the statements and the pronouncements made by the leaders of communal parties in India from time to time and inspiration and guidance they are providing at the moment to the Praja Parishad leadership in Jammu, is no doubt giving them a rude shock. But let me assure you and the people of India that the Muslims in Kashmir



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will not falter from their ideals even if they are left alone in this great battle for secularism and human brotherhood.

Yours sincerely,  
(Sd.) S.M. Abdullah

Dr. Syama Prasad Mookerjee M.P.,  
77, Asutosh Mookerjee Road,  
Calcutta 25.

## VII

New Delhi,  
February, 5, 1953.

My dear Syama Prasad,

Your letter of the 3rd February reached me yesterday. I have however been so fully occupied by the Governors' Conference that I could only read it today and I am now answering it rather late at night.

Your letter, I suppose, is meant to be an indictment of me and the policy we pursue. You can hardly expect me to enter into an argument on this subject. If you think that I have pursued a wrong policy, I am equally convinced that the policy you have pursued in regard to Jammu and Kashmir and certain other matters is completely harmful to India's interests and to the ideals we have always proclaimed. If my life's history denotes failure, that is my misfortune, In any event, whatever I have done has been very much before the public and they can judge me as they like. I am hardly likely to be influenced by the judgement of those who hold entirely contrary and whose objectives are also different from mine.

According to my thinking, the agitation of the Praja Parishad in Jammu is not only communal but is supported by communal and narrow-minded elements in India. I have not a



shadow of a doubt that if that narrow approach was adopted in our country as a whole, it would bring disaster in its train not only for the Jammu and Kashmir State but also to the larger interests of India. Believing this as I do, the only course that I can follow is to resist this utterly misconceived agitation. That is our Government's opinion and they propose to adhere to it and persue that policy.

I do not know if your letter is meant to be threat. The agitation certainly, as it has developed and perhaps as it was conceived to be, is a threat to India. I have often stated that the people of Jammu may have, as many people in India have, certain grievances which should be looked into. But it is clear that these grievances have little to do with the real objective of the agitation. Indeed, only recently, the Jammu and Kashmir Government have appointed a Commission to enquire into these grievances. If the agitation had been mainly concerned with these, the appointment of this commission would have been welcomed. Instead of this, it has been publicly stated that the agitation will continue.

This leads to the inevitable conclusion that those concerned with this agitation are not particularly interested in any grievances of the people relating to economic and like matters but think in other terms. The question of Jammu and Kashmir has often come up before Parliament and whatever has been done thus far has been done with the explicit approval of Parliament. The agitation, therefore, is against those decisions of Parliament relating to constitutional matters. This agitation also directly concerns itself, as your letter does, with an issue which, you know, is an international issue with all the complications that this implies. Thus we have a certain section of the people of Jammu trying to interfere in international affairs and the foreign policy of India by the agitation and even gaining your support. You will remember that at one stage in Parliament, I ventured to say that a few people in the House were supporting the Jammu agitation. You and a few others challenged this



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statement and denied it. I presume that there will be no denial now of what I had then said:

In effect, this agitation challenges the authority and supermacy of our Parliament in a vital matter. It also seeks to interfere in international affairs which have far-reaching consequences. I am, indeed, surprised that you should expect me or our Government to countenance any such attempt which strikes at the roots of democratic Government and accepted canons of policy.

The questions you have put in your letter have been repeatedly answered in Parliament to the satisfaction of the House. I do not propose to flout the decisions of Parliament whose behests I have to carry out as Prime Minister. Evidently your respect for our Parliament and its decisions is not very great. Apart from constitutional and democratic principles, I should have thought that it was apparent to any thinking person that, from a practical point of view, this agitation in Jammu could not profit the enemies of India. It could not possibly achieve even the objectives which the sponsors of the agitation declare. If this is so, then I cannot conceive why this folly should be continued, unless the real objective is something other and different. Gradually one is driven to the conclusion that this is not a normal agitation for the redress of grievances, but is an attempt to start a subversive movement affecting not Jammu only but the rest of India. To that, any Government can only give one reply.

You suggest the release of those who have been arrested and a conference, presumably, with them. Neither the Government of India nor the Jammu and Kashmir Government desire to arrest or imprison any person unless circumstances are created which compel them to do so. But when such circumstances exist, they have to do their duty. What you suggest mean, at the present juncture, the Government of India as well as the State Government ceasing to function and handing over



authority to those who have challenged them on these basic constitutional issues by an agitation which has become increasingly violent and subversive. We have no intention of abdicating and running away from the duty that has been entrusted to us by the people and by Parliament.

It would be an extraordinary thing for this agitation to be carried on and at the same time for those who do so to be given full freedom to indulge in these activities and to be asked in conference. I regret, I am unable to treat the Praja Parishad or their associates in this manner. If indeed the agitation continues, it will be for us to consider what other and further steps Government should take in the matter. The larger good of India as well as of the people of Jammu and Kashmir State, with which we have been entrusted, is more important than the wishes of a group of persons who can only think and act in a narrow and bigoted way, and who do not hesitate to do deep injury to India's well-being for the sake of some fancied group advantage.

You say in your letter that you are coming to Delhi this evening and can see me tomorrow morning. I am always prepared, if I can find the time, to see you or others who may differ from me. But I regret that tomorrow and for the next day or two I am completely occupied. I confess also that, reading your letter, I find it a little difficult to discover any common ground for a talk. You have stated yourself that it is obvious that we do not see eye to eye with each other on this momentous issue.

Yours sincerely,  
(Sd.) Jawahar Lal Nehru

### VIII

30, Tughlak Crescent, New Delhi.  
Feb. 8, 1953.



My dear Jawaharlalji,

I received your letter of 5th February yesterday morning. Believe me I had no intention to carry on a protracted correspondence with you unnecessarily. My sole desire was to find out if there was any possibility at all of both sides appreciating each other's point of view and trying to come to an agreement which would be to the good of the country, including Jammu & Kashmir. Apparently you are not in a mood even to understand the views of those who differ from you, far less to talk to them. You have couched your letter with many absues and I do not propose to reply to them. I am sure in your cooler moments you yourself will regret that you could not reply to arguments, with arguments but had only to cast motives upon and make wild aspersions against those who differed from your official policy. The Commission has not roused any hope or confidence. Its terms of reference are narrow. Its composition is defective. It has to work in an atmosphere surcharged with distrust and bitterness. It cannot obviously deal with basic political and constitutional matters.

I and many others honestly feel that the demand on the part of a section of our own countrymen living in the State of Jammu and Kashmir to see that their state is finally integrated with India and is governed according to the Constitution of Free India is not an unpatriotic or disintegrating or communal move. You cannot crush this natural urge by sheer force or repression. If, according to you and Sheikh Abdullah, there are practical difficulties in implementing this demand in full immediately, there are ways of dealing with it so as to create an atmosphere of mutual understanding and confidence, freed from fears and doubts. Matters relating to Jammu and Kashmir have been bungled by the authorities many a time and at many crucial moments a wrong psychological approach had been made by them.



The present movement has been forced on the people because they could get not remedy through constitutional means. This has been a spontaneous movement with widest local support. We never instigated this from outside the state. It was this charge of yours which we repudiated in Parliament and I do so once again. Undoubtedly a satyagraha movement is not a normal procedure and should not be lightly resorted to. But what remedy is open to them if they find that their repeated efforts to settle momentous matters on the basis of negotiations do not find any response from the authorities? Even today when they are paying in blood and suffering for what they regard as their birth-right, they evoke no sympathy or consideration from you. In the eyes of yourself and Sheikh Abdullah they are political untouchables. The tragedy is heightened by the fact that they represent a community well-known for its patriotism, bravery and martial strength.

You have talked about democracy. Does democracy mean the imposition by brute force of the will of the majority on the minority? I agree the minority should not as a rule obstruct and create deadlocks. This can and should be prevented in a really democratic State where the majority shows its willingness and capacity to appreciate the opposition's point of view and both are prepared to make rational adjustment for the common good. Parliament is in danger of ceasing to be a democratic forum when this basic approach disappears due to totalitarian tendencies. parliament is not greater than the country itself and any timely warning sought to be given to the people or to appeal to them against any wrong government policy is certainly no offence against Parliament's authority as such.

I do not know how you can treat my letter as a threat. We have no intention to offer any threat nor have we the means to do so. Our struggle, if it becomes inevitable, must be of a non-violent character and intended to record our protest against the official policy which could not otherwise be altered. We can only hope in this manner to rouse public opinion effectively.



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Who knows it may also help to bring about a change in the minds of yourself and Sheikh Abdullah?

So far as threats and use of force are concerned the entire resources of Government are at your disposal and at that of Sheikh Sahib. From the tenor of your letter it appears that you are determined to use them against your political opponents. Let me assure you, we are ready to face the consequences of your wrath and fury. The arrest of a number of our members and workers in the Punjab yesterday under the Preventive Detention Act is an indication of the things that are to come. It reflects a strange functioning of democracy in our country. The Congress party, Sheikh Abdullah and his party-men and others who support the present Kashmir policy will be given unabated opportunities to carry on their propaganda. Until now although meeting and demonstrations have been held throughout India, opposing your policy on Kashmir, there has not been a single occasion where violent methods were adopted or any subversive activities had taken place. Yet according to the democratic principles as operative in India today, the Preventive Detention Act has to be made use of for curbing legitimate political opposition. Your talk very often of Gandhism, Gandhian technique and "healing touch" and claim that you and your Government do not believe in the use of force or violence but are always anxious to proceed on the basis of discussions and negotiations. It is sad to think that my efforts to persuade you to proceed on your oft-declared principle in respect of a matter which admittedly may have serious repercussions has failed till now to evoke response from you.

You will forgive me if I fail to appreciate your repeated reference to possible international complications as a result of the Jammu movement. No one to day would claim that your handling of the Kashmir problem has enhanced our international prestige or has won for us wide international support and sympathy. On the other hand your policy in this behalf has added to complication both at home and abroad. Statesmanship re-



quires that you should re-examine the whole matter dispassionately, and instead of being haunted by false internationalism firmly create conditions for national solidarity based on a fair adjustment of different view- points and interests. If you succeed in this, it will give you greater strength and prestige even in international dealings.

There is one apparent misunderstanding in your letter which I should correct. You seem to think that I had suggested that the Jammu movement would continue and at the same time there should be an order for release of prisoners followed by conference to be held with Jammu representatives. This is not correct. Obviously if it is decided by you to start discussions with Praja Parishad leaders and others, the movement should not continue during such period and should stand suspended. This has been so on all similar occasions in the past, as you may yourself recall from your own experience.

I do not wish to inflict a longer letter on you. I only wish to close this correspondence with my deep regret that your replies have a painful resemblance with similar communications, which Heads of British Government in India, carried away by a sense of power and prestige, used to address while refusing to take note of the manifestation of the will of the people. The only difference is that while we disagree on some vital matters, we are children of the same Mother, and with a little goodwill and toleration on both side we should have been able to avoid a serious cleavage. If you feel in the country's paramount interest that you should set aside questions of prestige and partisanship and explore the possibilities of a peaceful settlement, our whole-hearted co-operation will be always at your disposal. Even at this late hour I firmly believe this is possible and it is you who can take the initiative.

Your Sincerely,  
(Sd.) Syama Prasad Mookerjee



IX

New Delhi,  
February 10, 1953.

My dear Syama Prasad,

I have received your letter of February 8th. After reading it, I confess to a feeling that we move in somewhat different mental worlds and the same words have different meanings for you and me. You are continually accusing me of making wild aspersions and the like. Your own letters have not been couched in what might be called gentle and persuasive language.

It is patent that my colleagues and I, and I am sure Sheikh Abdullah and his colleagues, do not wish this unfortunate conflict in Jammu to continue. Nothing could please us better than that it should end, not only because it is bad in itself, but, even more so, because it leaves a trail of bitterness and hatred. That conflict was none of our seeking. It may be that some policies pursued by the Government of India or by the Government of Jammu and Kashmir State were not approved of by a certain section of the people in Jammu. I am sure there were other and better methods to adopt to give expression to their views than this method of so-called satyagraha which has resulted in conflict and suffering. I have before me a detailed list with full particulars of over a hundred officer, high and low, including District Magistrates, Superintendents of Police and Constables, who have been more or less seriously injured by the crowds of so-called satyagrahis. That is hardly an evidence of a peaceful agitation.

But, however that may be, nothing would please me better than to put an end to this business. You say that the Commission appointed to enquire into economic and other grievances is defective and its terms of reference are narrow. Further that it cannot obviously deal with basic political and constitutional



matters and it has to work in an atmosphere surcharged with distrust and bitterness. I entirely agree to the last two propositions about the basic constitutional matters and the atmosphere. How is one to improve this atmosphere? Surely by stopping this ill-adviced movement and facing these economic and like problems. The alternative is, not to appoint a Commission till the movement ends. If that course has been adopted, people could have justly criticized us for not taking the right step because of something else that was happening.

As for the composition of the Commission, I doubt if any other type of Commission would have appeared to you to be better. It is an official Commission presided over by the Chief Justice, who can be relied upon to take an impartial view. If non-officials has been appointed, the criticism would undoubtedly have been made that they are not representative. It was better, therefore, to have a high-class official Commission, unconnected with parties and the like.

The terms of reference are wide, but certainly they do not deal with political and constitutional issues. Would you have a Commission sit in judgement over Parliament and decide grave national and international issues! I really am surprised at this criticism.

Whether I have made mistakes in the past or not in dealing with the Kashmir issue on the national or international plane has hardly any relevance in the present context. We have to take things as they are now and to deal with them as such. I fail entirely to understand how these high constitutional matters affecting the whole of India and affecting international issues, can be made the subject of a local agitation. Nor do I understand how we can even discuss these matters with some local group, quite apart from the fact that local group is indulging in an aggressive and subversive agitation.



I think, this is important. In effect it means agitation against the authority of Parliament. Certainly Parliament is not greater than the country, but it is normally presumed that Parliament represents the country. Certainly also, a certain group in Jammu is not greater than the country. Is the entire country and parliament to be coerced by local group in matter affecting the entire country? I am sure that if you give this matter thought you will appreciate that this is a proposition which cannot be advanced. I have to function in accordance with the Constitution of India and under the authority of Parliament. If Parliament decides something which I think is contrary to my convictions in basic matters, then it is my duty to leave my post and let other hold it. In no event can I override decisions of Parliament. Normally speaking, in every State, whether it is the J. & K. State or any other State, in India, the State has the authority and power under the Constitution to deal with certain matters. The Central Government can intervene in some matters and advise in others. It cannot override the autonomy of the State. You are pleased to accuse me of totalitarian tendencies. I have thought that this charge could be relevantly brought against those who wish to impose their will on Parliament and the country as a whole.

I really do not wish to enter into any argument because, as I said, we appear to move in different mental spheres, I try to the best of my ability to judge of a situation in terms of the objectives that I have in regard to India. I endeavour to work to that end with such strength as I possess. I have no doubt that you wish well to India, but the fact remains that our conceptions of what is well for India appear to differ. Because of this, our past lives have moved largely in different spheres. Neither of us can wipe out or ignore that past which has produced the present. I consider the communal approach to India's problems, or to any other problems, as inherently bad, narrow and injurious to the individual, the group and the nation. You object to my using the word communal and deny my



charge. Obviously we think differently and our actions are presumably the result of our thinking.

However, all this does not help much in the present situation I can assure you that I want peace in India with all my heart. That is a prerequisite for any work to be done. But you will not expect me to do something which I consider completely wrong and harmful in the interests of India. If I could venture to advise you, I would suggest that you exercise your influence to put an end to this agitation in Jammu, which cannot possibly do any good and which can certainly do much harm.

Yours sincerely,  
(Sd.) Jawaharlal Nehru.

Dr. Syama Prasad Mookerjee, M.P.

X

30, Tughlak Crescent.  
New Delhi.  
12-2-53.

My dear Jawaharlalji,

I thank you for your letter of February 10th. It will serve no useful purpose for us to discuss in this correspondence the justification of our both moving in different mental spheres or even to discuss the merits of such spheres. It is my belief that there is and there should be much in common between you and me regarding the real needs of our country. We may however honestly agree to differ in respect of some vital matters but even in this sphere there is no reason why we should not try to understand each others view-point without taking recourse to mutual recrimination or imputing base motives to each other.

I quite agree with you that in the context of Jammu controversy all these discussions are somewhat irrelevant and un-



real. The movement should come to an end as quickly as possible both according to you and me. The question is how this is to be done without sacrificing any basic principle.

There is no question of any body coercing the State to decide anything by aggressive and subversive means. The movement has been started because all constitutional means were of no avail even to secure a joint discussion between the parties concerned. You have said that you have before you a list of 100 officers who have been injured by crowds during the last few weeks.

I have before me a list of typical cases of excesses and atrocities which reflect no credit to the authorities. Apart from these about 30 to 40 persons have been shot dead by police firing. Not one person has been killed on the official side. This certainly shows that whatever crowds might have done, the sponsors of the movement have directed the strict adoption of non-violent methods. However, it is not my purpose to go into these aspects just now. I am equally anxious with you that the present movement should terminate. you have been good enough to ask me to exercise my influence to put an end to this agitation. I am prepared to do so provided you and Sh. Abdullah create suitable conditions for giving effect to it.

The only way this can be done is to make the sponsors of the movement appreciate that you and Sheikh Abdullah are prepared to discuss all matter with them with an open mind and arrive at decisions which would meet their legitimate demands. I would suggest that you and Sh. Abdullah should meet some of the leaders preferably in Delhi. If this offer is communicated to them, they will, I hope, agree to suspend the movement. It on the other hand you feel that this procedure may create complications unless some understanding is previously reached regarding the possibility of ultimate agreement on the main issues and withdrawal of the movement, we may have a discussion on the several points raised and see what



should be a fair approach to their solution. Naturally I cannot commit the Praja Parishad, but knowing as I do their minds to some extent, I can make some suggestions to you for your consideration. If there is a general agreement, I may send a communication to Pandit Premnath Dogra giving him my advice.

The points for consideration are as follows—

1. Finality of accession to India though a resolution to be adopted by the Constituent Assembly of Jammu and Kashmir.
2. Adoption by the State of the provisions of Indian Constitution regarding such matters as Fundamental Rights, Citizenship, Financial Integration, Abolition of customs duty, Supreme Court, Emergency powers of President and Conduct of Elections. These are to be implemented within a stated time.
3. In respect of the rest of the Indian Constitution Sh. Abdullah should indicate what deviations, if any, he desires to be made. These are to be considered on their merits.
4. Jammu and Kashmir Constitution as finally agreed will be part of the Indian Constitution.
5. Provincial Autonomy to Jammu and Ladakh without change of boundaries.
6. Acceptance of supremacy of India Flag.
7. Policy regarding liberation and occupation of the Pakistan-held territory.
8. Commission of Enquiry with a majority of Judges from outside the State to go into all grievances including Dharmartha Trust, excesses committed by Police and compensation to the families of sufferers specially who have been shot dead.



9. Restoration of pensions, properties etc. to people against whom confiscation orders might have been passed.

None of the matters mentioned above is incapable of reasonable solution if both sides proceed with an open mind. If you feel that my approach is correct, we can have a detailed discussion and decide what course of action should be taken in the best interest of Kashmir and the country as a whole.

You and Sh. Abdullah can well rise equal to the occasion without standing on false prestige and create a new atmosphere which will make it possible for all parties irrespective of other differences to put forward our national demand on the Kashmir issue. I hope you will appreciate the spirit in which the latter is written and take action to bring the impasse to an end.

Yours sincerely,  
(Sd.) Syama Prasad Mookerjee

XI

New Delhi,  
February 12, 1953.

My dear Syama Prasad,

Thank you for your letter of the 12th February.

I am always prepared to meet you and discuss any matter. But the points for consideration that you have suggested are most of them hardly capable of consideration even by Government by itself and much less so with non-official organisations or individuals. It is easy enough for the Constituent Assembly of Jammu and Kashmir State to pass a resolution approving of or confirming the accession to India. They can certainly do so. But that does not bring finality in the sense that you perhaps mean. That finality is tied up with other considerations which are not wholly within our control. As a matter of fact, the ac-



tion that the Constituent Assembly of Jammu and Kashmir State has already taken in regard to various matters, more especially in confirming the agreement arrived at with the Government of India, is itself much more than confirming the previous accession. It goes beyond it in many ways.

Some of the matters you have referred to have been included in the Constitution that is being formed by the Constituent Assembly of J. & K. One cause of delay in doing this has been, I imagine, this agitation itself which has made it difficult for the Government of J. & K. State to expedite these matters.

It has been stated very clearly and on occasion acted upon that the Indian Flag is supreme.

Regarding the policy for the liberation and occupation of Pakistan held territory, this is surely not a question that can be discussed, as it depends upon all kinds of political and military matters. You will appreciate that no Government, however powerful, can do just what it wants to do. There are limiting factors. Even the great powers cannot do what they want to do and therefore come in conflict, with each other and a deadlock, threatening the peace of the world, continues. Indeed the Jammu agitation has made it much more difficult to deal with the question of the Pakistan held territory, because it must have created far reaching repercussions on the people there. We do not think in terms of holding any territory by force of arms and have to rely on the good will of the people concerned.

Even in States other than Jammu and Kashmir, we have to respect Provincial autonomy and, though we give advice to our colleagues there, we do not interfere. No State Government can carry on if it is over-riden by the Central authority.

I am sure that the right course is for this agitation to be withdrawn and an attempt made on all sides to bring about



normality and goodwill. That is the basis of any progress and removal of grievances or disabilities.

You are no doubt aware that at the present moment conversations are being carried on by our representative, Girja Shankar Bajpai, with Dr. Graham and the Pakistani representative in Geneva. In international affairs of this kind no country can take up an attitude of dictating terms. Even the greatest cannot do it and we have to proceed cautiously and with patience and at the same time firmness in so far as our principles are concerned. you can imagine the effect of the present Jammu agitation not only on those hostile to us but also in other countries and more especially on the conversations taking place in Geneva.

Yours sincerely,  
(Sd.) Jawaharlal Nehru.

Dr. Syama Prasad Mookerjee, M.P.

XII

30, Tughlak Crescent,  
New Delhi,  
February 13, 1953.

My dear Sheikh Sahib,

I received your letters of 4th February and 5th February, some days ago. Meanwhile I have had further correspondence with Shri Nehru, copies of which I enclose. I must thank you for the frank and detailed manner in which you have put your view point. I have also glanced through various pamphlets that you have sent me and tried to appreciate the points which have been emphasised on your behalf.

You have referred to my talks with you at Srinagar some months ago. Although I have not found myself in agreement



with your approach to some of the basic problems, I have tried to appreciate your view point and also the difficulties that lie in your way. If we start doubting each other's motives and reduce the controversy to mutual abuses and vituperations, we can expect no solution at all. From this point of view I have failed to appreciate some of your recent speeches, where you have dubbed your critics as traitors and enemies of the country.

One fundamental point where I differ from you is your attitude towards the Praja Parishad. You will remember, when I met you at Srinagar, I implord you to realise the depth of the feelings in Jammu and to take the initiative to allay fears and doubts in peoples minds. I advised you not to adopt an attitude of non- cooperation towards the Praja Parishad, or to allow the breach to grow. you, however refused this advice on the grounds that first, it had no following and secondly, its past was so black that you could never associate with its spokesmen. Regarding the first point your estimate has proved incorrect. The movement launched by the Parishad and the manner in which it has spread amply indicate that it has a large following. In any case, it has been able to rally together various sections of the people who you thought would never support this organisation. As a democratic leader you have got to recognise the strength and influence of your political opponents. Regarding the second point your refusal to negotiate with the Parishad on account of its alleged past activities, is hardly tenable.

History records many examples where such an attitude led to disastrous consequences. Let us recall what happened in India or even in the State of jammu & Kashmir. Could the British Government stick to its determination not to come into association with the Congress which had defied the authority of the British rulers ? Did not Gandhiji and others go out of their way to attempt to come to a settlement even with Mr. Jinnah and others whose attitude towards national problems was far from patriotic? What happened in your own case? Although you raised the standard of revolt against the Mr. Maharaja, did



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you not both meet on a common platform at the time of national crisis and did you not even offer loyal co-operation to him for the future good of the State and of the country? It is not safe to base one's present attitude towards grave political issues solely on past relation ship with one's opponents. I do not know intimately about your past, but I have seen some papers and documents. you yourself started as a leader of a communal party. Even important British Officers expressed their unconcealed anxiety to utilise you and your movement for bringing about the end of a Hindu Maharaja's rule, yet it would be highly improper to judge your present aims by making elaborate researches into your past history starting from the days of Aligarh.

Whatever you may say against the Maharaja's rule or against any aggressive Hindu sentiments of some others, the fact remains that in the time of this very Maharaja when many parts of India were ablaze with communal fury ad passion leading to all sorts of atrocities during the fateful period prior to independence, the State of Jammu & Kashmir was wholly free from such ugly outbursts. At that time your political movement was going on unabated and you had no place in the administration of the State. Let us not go into all this past history. Many things happened in 1936 & 1947 for which responsibility did not always lie on anyone party or community in particular. Actions produced re-actions and we got caught up in a vicious circle. We have to forget that chapter, although we may have to bear the lessons of that great tragedy in mind so as not to make mistakes in future. Our main approach must be based on a genuine desire to treat each dispute solely on its merits and try to come to an agreement.

I did not conceal from you my regret at the manner in which you and some others had been delivering speeches and making statements attaching the Dogras. Circumstances had placed you in charge of the destiny of your State and you could well rise equal to the occasion creating faith and confidence in



the minds of all sections of the people living in Jammu & Kashmir. The Dogras were the rulers of the state for generations and the position had suddenly been reversed when you came into power. I did not like the manner in which you went out of your way to speak in abusive terms of the Maharaja, although you had assured him in writing of your full support, cooperation and even loyalty when through his action and decision you came to possess full political power. Apart from the soundness or otherwise of the system of hereditary rulership in the modern set-up, this attitude of hostility towards the Maharaja, who by dint of his own decision, became political powerless, was indeed unnecessary. But when some times this overstepped its limits and extended itself to an attack on Dogras as such, it became a source of dangerous developments. I had, therefore, earnestly requested you to take all possible steps to create a new psychological atmosphere in the state so that spontaneously all sections of the people might regard you as their acknowledged leader in whose hands their interests were absolutely safe. When I was in Jammu I saw the intensity of feelings against your administration and also how doubts and fears were being kept unsolved. I acknowledged at that time, and I do so without reservation even today, that in spite of tremendous difficulties you had courageously proceeded to challenge the basic theory of the establishment of Pakistan. In this respect a great experiment was being made which could not be carried into fruition by India's national leaders themselves whose weak-kneed policy led to the vivisection of the country. I paid you tributes for this great work. But I warned you in private and said so in public that in your dealing with the situation, by words and deeds, you should not encourage tendencies of separatism, nor ignore Jammu's special problems. I communicated my impressions to Shri Nehru on my return from Jammu and Srinagar. If both of you had been moved in the matter, perhaps nothing would have happened.

As a first condition for ending the present impasse which is to good for anyone desirous of the well-being of India as a



whole I would beg of you not to stand on false prestige but to agree to discuss all disputes with the leaders of the Praja Parishad even at this late stage. If you do this no one will charge you with weakness, but will readily recognise your statesmanship and robust realism.

Your letter deals with legal and constitutional points. I do not minimise their importance, but they are not the ultimate factors for settling big controversies which can be solved only with a human approach. You have quoted a few extracts from various speeches and statements of your critics and tried to show their inconsistencies. Some of them are taken from C.I.D. reports, others are quoted out of their context and still others are mere passing references. I can similarly quote extracts from your speeches and statements and indicate serious inconsistencies, but that is not the point at issue. One of the main points is how to settle finally and irrevocably the question of accession of Jammu and Kashmir with India. You and Mr. Nehru sometimes make strong speeches declaring that the State is already a part of the Indian Union and therefore, there need be no dispute about it. What I want is that constitutionally this question has to be settled once for all and the sooner it is done the better for all concerned. It has been said that this question has to be decided according to the will of the people of Jammu and Kashmir. This treatment has not been specially offered to your State. Due to the subtle and ingenuous policy pursued by the British Govt. in 1947 all the 500 or more Indian States, as they were called, became in theory independent units and the British Government insisted that their union with India or Pakistan must be on a voluntary basis. They were not satisfied by breaking what was one great political entity, namely, undivided India into India and Pakistan. They were anxious to sow the seeds of further disruption by creating a myth of sovereignty in respect of about 500 small and large units within India, then known as Indian States. The Congress was forced to accept this position and from that time onward began the difficult and delicate task of absorbing these States into the structure of free



India. Thanks to the statesmanship and dynamic personality of Sardar Patel, this great task of integration was completed in a bloodless manner, in all cases, with three exceptions, Jammu & Kashmir, Hyderabad and Junagarh. Ultimately Hyderabad and Junagarh were also brought into India. All these states had the same theoretical rights as your State to decide matters for themselves. But they came into India not only in respect of the three subjects of Foreign Relations, Defence and Communications, but also with regard to others and there thus developed one pattern of Indian constitution for the whole country.

Finality of accession could not be settled in your case because of war with Pakistan. How is this formality of ascertaining the will of your State now going to be declared ? My own practical suggestion has been that the Constituent Assembly which you have formed on the basis of adult franchise should decide this question and India should accept this decision. You have tried to ridicule me by saying that this suggestion is hardly tenable with the Praja Parishad's challenge of the validity of the elections specially in respect of Jammu. You and Mr. Nehru have repudiated this challenge. You cannot, therefore, have it both ways. You are in power today and you are proceeding on the basis that the Constituent Assembly is fully representative. your opponents, also invite you to pass this resolution and then they at least will not be able to question this decision in future. Then there remain possible implications of such a decision in relation to U.N.O. and Pakistan. In my humble opinion neither of these has anything to do with the question of accession. India went to U.N.O. not on the issue of accession, but in respect of aggression by Pakistan on India which included Jammu & Kashmir. Here India's case has not received a fair deal at all. True, India gave an assurance to U.N.O. that final accession would be determined in accordance with the will of the people. If that will today is expressed through a Constituent Assembly elected on adult franchise basis, no one logically or legitimately could challenging such a decision. The importance and urgency of this step cannot be minimised. Once it is known



that this matter has been finalised, all doubts and fears about the future would disappear and all elements can jointly march forward for the rebuilding of the State of Jammu & Kashmir irrespective of all differences.

The next important question is with regard to the subjects in respect of which accession should take place. Heer your elaborate interpretation of Article 370 and your claim that you enjoy "residual sovereignty" which has not been granted to the rest of India, create unnecessary friction and dangerous complexities. What is the demand of the Praja Parishad and indeed what is our request to you? Pray accept the constitution of free India and make it applicable to the State of Jammu and Kashmir just as has been done with regard to all part B States. Is there anything communal or re-actionary about such a request? Even here I have offered a compromise formula and I see no reason why it should be unacceptable to anybody. There are certain basic provisions of the constitution which must be applicable to the whole of India. They relate to fundamental rights, citizenship, Supreme Court, President's Emergency Powers, financial integration including abolition of Customs Duty, Conduct of Elections, and National Planning. In regard to some of them you have agreed to accept that Indian constitution either as it stands or in a modified form. Please accept the relevant provisions in toto. Regarding land you may have a special provision. In regard to other matters you may take some time and prepare a comprehensive memorandum indicating in what respect you desire modification of the provisions of the Indian constitution. This you have to justify as essential in the best interests of your State which will not be harmful to the maintenance of India's unity and solidarity. your proposals can be considered dispassionately and decided on merits by mutual consultation. I am not suggesting that the constitution is so sacrosanct that none of its provisions can be altered if our country's needs demand this.



Instead of proceeding in this rational manner you have shown tendencies of creating a separate status for yourself and for your State. The provision for an elected Head and a separate flag, has to be examined from this stand point. The flag is the symbol of unity. Your reference to some speech made by some Opposition leader declaring that the present flag would be replaced by a 'Bhagwa' flag shows you have not appreciated the stand point of those who are opposed to a separate flag for Jammu and Kashmir alone. No one has said that there will be a Bhagwa flag in some State where the party advocating it will be in power and in the rest of India there will be one or more flags according to the desire of the particular party that may be in power in each such State. If the design of the National Flag is at any time altered according to the will of the representatives of people, it will be applicable to the whole of India. It will create no separatism or disunity. But if each state starts having its own flag, according to the wishes of the party in power, then it will be a blow on India's national and political unity. And that is what you have sought to have done.

You call yourself as the Prime Minister of Jammu and Kashmir. There can and should be one Prime Minister and he is the Prime Minister of India as a whole. In all other States the first executive citizen is known as Chief Minister, but you must have a separate nomenclature for yourself! The head of your State must be known as Sadar-i-Riyasat (President). India can have only one President and that is the President of India. Other Heads of States may be known as Governors, Rajpramukhs or by any other name as the constitution may provide. There can not be a republic within a republic. There can be one and only one Sovereign Parliament and that is the Parliament of India. Consciously or unconsciously you are creating a new sovereignty for Jammu and Kashmir State. India has been torn into two by the two-nation theory. You are now developing a three-nation theory, the third being Kashmir Nation. These are dangerous symptoms and are not good for your State or for the whole of India.



I have seen no logical statement of yours as to why the Indian constitution should not apply to your State. Your only reply has been that if this is hastened, Muslims of Kashmir may lean towards Pakistan. I do not ignore the need for creating an atmosphere of complete understanding and confidence in the minds of Muslims. But there are limits within which such attempts must be kept confined, nor such attempts should be made in a manner which may cause grave doubts and fears in the minds of non-Muslims living in the State and forming a definite minority. I regret at many stages the possible reactions of your policy on their minds has completely been ignored. If the bogey of Muslims ceasing to trust India and going away to Pakistan continues unchecked, it will create the same complications as Mr. Jinnah's stand did. India is governed according to one constitution which is not based on any communal or sectional considerations. If four crores of Muslims in India can be expected to live with safety and in honour under this constitution why should 30 lacs of Muslims in Kashmir who will be the majority community in their State, be in a mood to go out of India, unless they honestly feel that their future lies with an Islamic country such as Pakistan. Secular democracy cannot develop by following the methods of the market place. It is my earnest belief that time will realise that the division of the country on religious basis has not helped any community, but has only put back the hands of the country's progress. I want you to work in a spirit of statesmanship at the head of the entire State of Jammu and Kashmir including our lost territory, enjoying the willing confidence of all parts of the State and making it one of the foremost defenders of Indian unity and freedom.

The explanation you have given for the delay in implementing your agreement with Mr. Nehru reached in last July, is really very weak. In November 1952, i.e. four months after the agreement you could see your way to implement only those portions which were to your liking and which provoked widespread opposition since it drew away the State further



from the common pattern of the Indian constitution. I see no justification for the delay in implementing the rest of the agreement. If some formalities had yet to be completed, you might have easily waited for a month or two more and not implemented the agreement piecemeal. You see that we and others do not like the agreement and so its implementation or otherwise should make no difference with us. This is a cheap argument and an entirely wrong approach to the problem. We feel that the agreement regarding the application of some provisions of the Indian constitution to Jammu and Kashmir is capable of being improved and extended further. But it is certainly better than your doing nothing at all in this direction and as such none would have opposed such implementation.

I have been receiving serious reports of atrocities and excesses being committed on the people of Jammu. It is not possible for me to check such reports. I wanted to send a small fact-finding delegation consisting of responsible persons, three of whom were legislators, but they have been refused permission to enter your State. It is a strange position that we cannot enter a part of the Indian Union without special permit. Repression, bullets and jails will be no solution to the problem. The movement is spreading deep and bitterness and resentment are on the increase. Normally such a movement should not be started. But it was forced on the people since you and others deprived them of all constitutional means for settling their grievances. You will have to probe into the root causes and try to bring about an honourable settlement.

I have not referred in detail to the charges against your administration. The relate to some economic matters, rehabilitation, discriminatory policy etc. Your re-division of the border districts has not been a wise one. Whatever the reasons might have been, the result has been a communal division of some of those areas. This is possible of serious development. Your memorandum gives no answer to this charge. This could have been easily avoided and a division on non-communal basis



could have been made. In any case you have always expressed your readiness to inquire into any allegations against your administration. If a Commission is to do this its personnel should be beyond the influence of State authorities and its term of reference must be wide enough.

I have not also referred to the future pattern of your constitution. The desirability of giving autonomy to Jammu as a whole and to Ladakh and Kashmir Valley can be discussed on its merits at a later stage. What is needed now is to bring the movement to speedy termination and to create proper atmosphere for future collaboration. You must take the initiative and in this respect my services are always at your disposal. If at any time you feel that you want me to help you to bring about a satisfactory settlement, forgetting all past controversies, I shall be most happy to be of any assistance to you. But far better than anybody's intervention, you should yourself invite Jammu representatives to a conference where you and Mr. Nehru should be present. Please see my letter of yesterday's date to Mr. Nehru in this connection. It is only if we are all united on the Kashmir issue—and there is no reason why we should not—that we will be able to preserve the unity of Jammu & Kashmir and also take steps for the recovery of the one-third territory of the State which, to our national humiliation, is still in the hands of the enemy. Believe me, I am most anxious that the present atmosphere of distrust and bitterness should come to an end. The initiative lies in the hands of Mr. Nehru and yourself. Do not pray imitate the British rulers and stand on false prestige. With toleration and understanding and with a determination not to repeat the tragic folly that led to the division of India, let us solve the present deadlock in a manner which will be to the benefit of Jammu & Kashmir and of India as a whole.

Yours sincerely,  
(sd.) Syama Prasad Mookerjee



Sheikh M. Abdullah,  
Chief Minister, jammu & Kashmir.  
Jammu Tawi.

XIII

30, Tughlak Crescent,  
New Delhi.  
February 14, 1953.

My dear Jawaharlalji,

I thank you for your letter of the 12th February. I believe the issues have been narrowed down to a considerable extent and as we really so wish, we can bring about an early and amicable settlement. The specific points which I mentioned in my letter arise out of fears and doubts in the minds of the people of Jammu. the manner in which these should be dispelled would depend on a frank discussion with them. What you and Sh. Abdullah have to decide first is whether you are willing to talk to them. I would implore you to do so. You have said that the right course is for the agitation to be withdrawn and an attempt made on all sides to bring about normality and good-will. The question is how to get this done. When a movement goes on and the sponsors believe that they are struggling for a right cause and have undergone sacrifice and sufferings including loss of lives, any approach for settlement must proceed on humane considerations based on mutual understanding. I do suggest, therefore, that both of you should agree to meet some selected representatives of the Praja Parishad and this should be followed by an immediate suspension of the movement. The process of bringing about normality and good-will will then, I trust, automatically follow. If their view-points are met in a fair and just manner, there is no reason why they should not heartily reciprocate.

I mentioned certain specific points in my last letter so that you might know the matters that you would have to deal with.



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I do not wish to reply to your letter in detail, but may must indicate a few aspects of the points you have raised. The first point relates to the finality of accession. This a vital matter not only for Jammu but for the entire State and indeed for the whole of India. I earnestly urge you and Sh. Abdullah to accept the suggestion that I have made and permit a resolution supporting accession to be passed by the J&K Constituent Assembly. What ever may be the nature of the obstacles that we will have to face from U.N.O. & Pakistan, our position will not be weakened by this step, on the other hand within India and Kashmir you will have one solid opinion supported by all parties. Really speaking accession was not the issue on which we went to U.N.O. If today U.N.O. desires to know how the will of the people is going to be expressed, we can certainly justify our reply that this will has been expressed through the Constituent Assembly and the matter is settled as between India & Kashmir. The stalemate with U.N.O. & Pakistan may still continue and may have to be settled in some other way later on.

I admit that such a declaration may be injudicious just when talks are going on in Geneva. If however, an assurance to this effect is given to the Jammu representatives, I shall myself ask them to be satisfied with this and not to press for any open declaration at this state. This may be given effect to in normal way after the Geneva talks have come to an end.

Regarding liberation and re-occupation of Pakistan held territory also, no public declaration need be made but a fuller appreciation of the situation can be made as a result of your discussion with the people concerned.

If, as you say, the Indian flag is supreme its daily official use may be agreed upon exactly in the same manner as the flag is used everyday throughout the country. The State flag may be used in addition on special occasions.



Regarding the applicability of the provisions of the constitution, we should set aside all technicalities and agree to proceed in a practical manner. As you are aware your agreement with Sh. Abdullah has got to be amplified, as a number of points on which general agreement was reached have not been clarified, I do not think we will have any difficulty in agreeing to the minimum number of subjects which will be immediately applied to J. & K. As regards the rest, we may postpone consideration till we know what specific proposals the State authorities have to make for the purpose.

As regards grievances and other local matters Sh. Abdullah has repeatedly declared and has written to me also stating that he was willing to have an independent enquiry. The only question is to prepare comprehensive terms of reference and have a tribunal which will enjoy the confidence of all concerned. Release of prisoners and withdrawal of bans and punishments need not present any difficulty.

I do honestly feel that the situation can be tackled if all of us proceed with a genuine desire to create a new atmosphere. Believe me I share your view that the continuance of the movement or its extension to any parts of India may have serious repercussion. My genuine anxiety has been to find out if this can be avoided at all. Your last letter gives me hope that is not beyond the range of possibility. You and Sh. Abdullah have powers of Govt. in your hands and naturally constitute the more dominant party. Without sacrificing principles, you can certainly proceed in a spirit of generous understanding and create an atmosphere where all of us inspite of other differences can agree to present a united front on the Kashmir issue.

I am leaving for Calcutta early tomorrow morning and shall be back here on Monday afternoon. I am willing to come and see you sometime today, if you feel that at this stage a personal discussion may be helpful. You will have to communicate your views to Sh. Abdullah or even before you finalise your



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views you will have to consult him. I wrote a letter to him yesterday in reply to his last letter and have given him copies of my correspondence with you. I could not send him your letter of the 12th February as it had not then reached my hands. I shall be glad to come and see you any time today that suits your convenience except between 6 & 7.30 PM

Yours sincerely,  
(Sd.) Syama Prasad Mookerjee

Pt. Jawaharlal Nehru,  
Prime Minister.

XIV

New Delhi,  
February 15, 1953.

My dear Syama Prasad,

Thank you for your letter of February 14. I was so very busy yesterday that I did not read your letter till late at night. It was only then that I noticed that you had suggested our meeting in the evening. It was too late then and you have now gone to Calcutta.

There can be no two opinions that we are all anxious to bring about normality in Jammu and to put an end to this deplorable agitation and conflict. But many of the questions you have raised in your letter are so far-reaching and complicated that they cannot be considered in a casual and hurried way. In so far as some of them are concerned, we have arrived at decisions after very full and long argument between the Government of India and the Government of J. & K. State and it is not quite clear to me how we can discuss them, except when the time comes, as between the two Governments.



As I pointed out to you, every state normally deals with these problems itself and the Central Government does not intervene except by way of advice occasionally. Any other course would not only be rather against our constitutional procedure but would come in the way of the responsibility of the State itself.

The Constituent Assembly of J. & K. State will be meeting some time in the near future. It will, presumably, consider the reports of certain Committees appointed by it. Those committees are now sitting. I do not see how even the Kashmir Government can bypass all this procedure. As for the Constituent Assembly passing a resolution supporting accession, it can certainly do so if it so chooses. As a matter of fact, all its proceedings are based on accession and proceed on that assumption. Nothing more can be added to that by a resolution. I have no objection to such a resolution. It is not this point that creates difficulty, but saying that such a resolution finally ends the reference to the U.N. The position we have thus far taken up and publicly stated is that the J. & K. Constituent Assembly has every right to express its views on this as well as other matters, but that the assurances we have given to the U.N. are our responsibility and have to be judged accordingly.

The real difficulty, as I have pointed out to you previously, is the whole background of this business. Whatever anyone's motives might have been, it is undoubtedly of an extreme communal colour with all the disturbances that such an approach leads to. It comes up, therefore, against the basic policies in India that we have sought to follow with some measures of success. Most of the people associated with it have opposed those governmental policies in the past and taken up a line which we consider communal and harmful to the interests of the country. The speeches made in support of this movement have been extreme and even violent and have brought out this basic Communal element. I was deeply distressed to read the reports of the speeches made at last Sunday's meeting in Delhi.



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Reading reports of those speeches the question of Jammu sank into the background and other major questions of policy were emphasized. Between these two basic approaches, there is no common ground. Subject to our holding fast to the principles which have guided us and to the policies which we have pursued, the Government will gladly do all in its power to bring about normality and peaceful co-operation in the Jammu and Kashmir State. I am sure that Sheikh Abdullah and his Government hold the same opinion. But this agitation was not of our seeking and the first step should be to withdraw the agitation completely.

Yours sincerely,  
(Sd.) Jawaharlal Nehru

Dr. Syama Prasad Mookerjee,  
30, Tughlak Crescent,  
New Delhi.

XV

30, Tughlak Crescent,  
New Delhi,  
February 17, 1953.

My dear Jawaharlalji,

Thank you for your letter of February 15th which reached my hands on my return from Calcutta yesterday afternoon. I have no desire to repeat the points that I have already urged for your consideration in my previous letters. It seems that although we are all anxious to bring about normality and peaceful co-operation in Jammu & Kashmir, we are not agreeing on the procedure to be followed for ending the present impasse.

You have again brought the charge of communalism against your political opponents. I have already refuted it and tried to indicate our attitude to some of the basic problems



where we may differ from you. When we start talking about mental approach, unrelated to specific matters, discussions taken an abstract turn and imaginary, charges are hurled. Perhaps some day you and some of us against whom you hold this charge of communalism can meet in a quiet atmosphere and have a frank exchange of views so as to appreciate each other's points of view and find out how far your or our approach is harmful to the larger interest of the country and what exactly the issues are on which we disagree. But these considerations are somewhat irrelevant for your immediate purpose. By constantly doubting each other's motives we will not pave the way for bringing the Jammu agitation to an end speedily.

You have referred to certain reports of speeches delivered during the election meeting in Delhi. I had attended only three meetings myself. I have no personal knowledge as regards the detailed speeches delivered on all occasions. Some of the speeches no doubt were strong and there may be honest difference of opinion as regards the approach made by some speakers. But it is not safe to rely on C.I.D. reports or on what might have been conveyed to you by some interested people. Extracts from speeches read out from their context are very often mis-leading.

I have received reports of some of the speeches delivered on Congress platforms which indicate not only bad taste but are also false and perverted. I myself heard some slogans uttered by Congress processionists when my car came at the rear of such procession. They were provocative and objectionable. I took no notice of them for I know that sometimes party enthusiasm can sweep people off their feet and they need not be taken very seriously. All these no doubt raise important questions regarding public behaviour of leaders and workers belonging to different political parties. There is need for our observing a common decent standard if public life is to develop properly in this country. These considerations, however, do not



and should not affect our immediate task of settling the Jammu agitation.

You seem to think that I had suggested that you should immediately agree to make commitments on important constitutional matters without proper consideration of the issues involved or passing through usual procedure laid down for such consideration. Undoubtedly it would be for Govt. ultimately to settle these matters. If however, there are doubts and fears in the minds of the people who will be vitally affected by such decision or if Government's policy in some respects is intensely disliked by such interested people, there must be some means of holding discussions with their representatives and trying to understand each other's standpoint. Normally speaking there is no reason why such talks should not take place with an open mind on both sides and why the Govt. should not agree even to mend its policy in case it is found that amendments are necessary in national interests. There is no question of constitutional technicality here.

Of course there are special committees and Constituent Assembly and other bodies that will have to consider all these matters. Both in India and J. & K. the power of Govt. is controlled by well-knit political parties which have an overwhelming majority and if any correct decision is taken by the leaders, there is no reason to expect that they will be repudiated by the respective organisation.

The real question is how the movement should be brought to an end. I had suggested a procedure which apparently is not acceptable to you. Unfortunately you have made no alternative suggestion except to repeat that the movement should be withdrawn completely. You have added that after this is done subject to your holding fast to the principles and policies which you have followed in the past, you will do all in your power to bring about normality and peaceful co-operation. This you will agree will not help to create an atmosphere for bringing about



the settlement. When a movement continues for several weeks resulting in loss of lives and various kinds of alleged oppression and excesses, it cannot be withdrawn unless there is some basis for appreciating that the objectives for which the struggle had been launched would be properly considered by the authorities. You will also realise that it is not for me or for anybody else in India to withdraw the movement. This must be done by the persons who have started it and many of the leaders are now behind the prison bars. They have to be approached on the subject and some idea has to be communicated to them of what is to happen in future.

After considering the matter fully and also your determination that the movement must be withdrawn completely as first step, may I suggest the following procedure for your consideration:—

1. The movement is withdrawn.
2. Order for release of prisoners is given and there will be no victimisation.
3. You and Sh. Abdullah call a conference say, after a fortnight where all political and constitutional matters are discussed with an open mind.
4. Both parties reiterate that the unity of the State of J. & K. will be maintained and that the principle of autonomy will apply to the province of Jammu as a whole and of course also to Ladakh and Kashmir Valley.
5. The new constitution to come into force as soon as possible and elections to take place within, say, six months.
6. Question of flag is to be clarified and the Indian flag should be in use every day just as is done in all other parts of India.



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7. Implementation of the July agreement will be made at the next session of J. & K. Constituent Assembly after the issue left- vague have been properly clarified. In respect of fundamental rights, citizenship, Supreme Court, President's powers, financial integration, conduct of elections, provisions of the Indian constitution will apply. Exception however, may be made with regard to conditions for acquisition of land.

8. The terms of reference of the commission of enquiry will be widened and all grievances will be examined by it.

9. The commission now includes 4 person, Chief Justice, Accountant General, Chief Conservator of Forest and the Revenue Commissioner. The last three gentlemen are administrative officers under J. and K. State and they can hardly inspire confidence. The commission should be reconstituted with 2 Judges from India and Chief Justice of J. and K. so that its impartiality and representative character may not be questioned.

10. Regarding finality of accession and other political matters, the conference will consider these points from every aspect and agreement sought to be reached which will be to the best interest of India including J. and K.

If there is some agreement as regards the general approach to the problem, contact will have to be made with Pt. Prem Nath Dogra. It will be for him to take the ultimate decision. Of course we will advise him what in our opinion should be done for a peaceful and speedy solution. I am sure he and others will not take up an obstructive attitude and will be ready to co-operate in every possible way.

I am receiving alarming reports about the nature of oppression that is now going on, including outrages on women. The National Militia has also been brought out for suppressing the movement. As you know very well the Militia has also been



brought out for suppressing the movement. As you know very well the Militia mostly includes Sh. Abdullah's party men, the majority being Moslem.

Already reports of their activities in the affected areas have reached us which are of a disturbing character. If now it is proposed to use them officially, it may take a very serious turn. Uptil now not one communal incident has happened and not one person has been killed on the official side. If today Govt. decides to rely only on force side. If today Govt. decides to rely only on force, police and semi-military, for suppressing the movement it may lead to disastrous consequences.

I have gone the utmost that I can for reaching a settlement. I cannot commit anybody on behalf of the Praja Parishad. Whatever I have said is on my own responsibility but I have indicated a general line of approach which, I feel, may bring this unfortunate chapter to a close.

If you feel that the above suggestions are worthy of your serious consideration and they should be discussed personally, I shall be glad to come to see you at any time convenient to you. If, however, you have finally decided that the movement is to be withdrawn unconditionally and there can be no understanding regarding any other point then I shall have to conclude with deep regret that I have failed in my efforts.

Your sincerely,  
(Sd.) Syama Prasad Mookerjee

Pt. Jawaharlal Nehru,  
Prime Minister,  
New Delhi.



XVI

Prime Minister  
Jammu & Kashmir,  
Jammu Tawi,  
February 18, 1953.

My dear Dr. Mookerjee,

I thank you for your letter of February 13 which reached me on Saturday last. I have gone through it carefully and I am to observe that you have not appreciated our position with necessary understanding and consequently there appears to be a fundamental difference in our respective approaches to the entire problem of Jammu & Kashmir State. I believe that this problem involves certain basic principles which need to be recognised and accepted for a dispassionate and fair appraisal of the position of the State. But, unfortunately a few isolated considerations seem to have led you to a judgement which is far from just or conducive to a constructive solution of our problem.

In my letter I had tried to explain to you our point of view which, we are convinced, is consistent with the basic principles underlying the relationship of the State with India. But it is unfortunate that you have not been fair in your appraisal of our point of view. While referring to the total application of the Indian Constitution you assume that we object to it on the ground that "Muslims of Kashmir may lean towards Pakistan". This is totally a false impression of the political maturity of the people of Kashmir. You admit the merits of our struggle against Muslim communalism and I am grateful to you for your complimentary remarks about me in this connection. While acknowledging the merits of that struggle you perhaps ignore the deep-rooted conviction of the Kashmiris against communalism as such. This was a fight for high principles and we did not bear any malice against the people of Pakistan as a whole but fought the communal and reactionary leadership in



that country which wanted to impose its will upon our people by brute force.

Now that I have condemned communalism of a section of Hindus, I do not know why I should become as suspect and why my motives should be doubted. Communalism cannot be bad for one community and good for another. As you yourself admit it is a vicious circle and once it starts in one quarter it creates an equal and opposite reaction in others as well. Naturally, it cannot be condemned in one type and connived at in another.

This has been the conviction of the people of Kashmir for a long time. It was precisely the spirit of this belief that guided the people of Kashmir to make a decisive choice for India at a time when conditions seemed extremely unfavourable for such a choice. While fighting against Muslim communalism they were aware of a similar danger in India. But they were convinced that the vast majority of the people in India under the leadership of Gandhiji were themselves fighting this menace. It was this community of ideals that led us to link our fate with democratic and progressive India.

Now that the bonds between us have been further strengthened, our conviction in these ideals and principles has deepened. It has become increasingly clear that the people of India, on the whole, have rejected the communal way. But if at any time India falters and forsakes these ideals, I have no doubt that even then the people of Kashmir will not lean towards communalism. This needs no proof as their conduct in 1947 stands as an ample testimony of their faith, determination and courage to uphold what is right and abhor what is wrong.

You have repeatedly referred to the unity and solidarity of India. Such sentiments are not less dear to us. But will the methods you suggest for forging this unity lead to this objective? The people of Kashmir voluntarily offered to associate



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themselves with the progressive people of India as they felt that their rights and liberties would be respected by the freedom-loving Indians with whom they had fought for liberation from imperialism and feudalism. The enlightened opinion in India recognised their vital human urges and the Constituent Assembly of India afforded them opportunities of achieving these political and social objectives. This mutual accomodation of each other's point of view, which has been accorded constitutional sanction should not be interpreted as a desire for separatism. After all, in a democratic country, the ultimate factor which decides the relationship between various units is the measure of willingness of each of these parts to come closer to each other for the common good of all. The unity between them comes from below and if it is sought to be imposed, it will injure the good-will and understanding which are necessary for a voluntary partnership and cooperation. This is the human approach to the problem and in our opinion the correct approach which can bring about a unity of purpose and work in our country. History has taught us that false notions of uniformity and conformity have often led to disastrous consequences in the lives of many nations.

I wish you would appreciate these basic principles of human relationship. After all, why did you reject the two-nation theory? it was precisely because we felt that this theory created an artificial division among the people and sought to impose a uniform pattern of thought on them. We were not inclined to joint Pakistan because we felt that there would be no scope for our people to grow up in the cramping frame work of a communal State. Our choice was justified, as in India we were afforded opportunities to pursue democratic and progressive objectives. Your suggestion in regard to abridging the scope of our internal freedom would lead to a denial of such opportunities to the State.

All these considerations were fully weighed when article 470 was devised. You have referred to late Sardar Patel's suc-



cessful efforts at integration of Princely States. My I point out that the special position that our State enjoys at present has been the result of the far-sightedness and statesmanship of the late Sardar. He was in fact instrumental in evolving the present basis of the State's relationship with the Union. Article 370 was incorporated into the Constitution under his guidance and at that time Shree Nehru was away from India. I this connection I might quote the very words of Sardar Patel which he used while explaining Kashmir's constitutional relationship with India.

"In view of the special problem with which the Jammu and Kashmir Government is faced, we have made special provision for the continuance of the relationship of the State with the Union on the existing basis".

Normally decisions between two Governments are arrived at through their representatives and in our case too all the decisions have been taken after mutual constitutional approval. This is the democratic way and in this respect our position is perfectly justifiable. But you seem to challenge the validity of all such decisions. You cannot expect us to revoke them. Such delicate issues cannot be settled by pressure or intimidation to which a group of persons with inspiration support and guidance from outside have resorted in Jammu.

You fear that the present form of the State's relationship tends towards separatism and in this connection you have used the expression "three-nation theory". I have tried to explain in any last letter that our decisions were in no way detrimental to the unity of India as all our decisions followed from the Indian Constitution. The variations in our policies in certain directions which you refer to again are not at all inconsistent with broad policies followed in other States and have been necessitated by the peculiar, special and political characteristic of our State. you will perhaps concede that our decisions in this respect have been democratic and progressive For instance when you refer



to the election of the Sadar-e- Riyasat, you perhaps forget that the Governors of other States are also appointed with the consultation of the State Governments. We have not limited the right to the Government but extended it to the legislature. This is a principle which all democrats should welcome. Then, again, you object to the name of the head of our State. You are not perhaps aware that Sadar-i- Riyasat is a name in a local language which is understood by the people in Northern India. While you prefer an English designation of "Governor", I fail to understand why the Hindustani nomenclature of Sadar-i- Riyasat should be objected to.

In this connection you have referred to the creation of a "republic within a republic". Perhaps you would accept "monarchy within a republic". But may I point out that our sovereign rights have been guaranteed and preserved by the same Sovereign Parliament which is guiding the destiny of the country? I do not see how such guarantees can disrupt the unity of India and create separate nationhoods. The formation of an Andhra State by an Act of Parliament would not result in the creation of another nation.

I would only request you to raise the issue above communal motives. There is no question of Hindu and Muslims here. On this level the controversy becomes involved in unrealistic and unnatural complications. You give an impression as if the Hindus and Muslims are going in contrary directions. But the problem is a simple one. The State of Jammu and Kashmir seeks to forge ahead towards progress and democracy and in this task, we consider that communalism of any type is a great danger. I regret that you have not understood these principles that are guiding us in our decisions. While referring to the Bhagwa flag, you suggest that there would be nothing wrong in its adoption if the country so chooses. I do not know whether you consider that this could happen only when militant Hindu communalism triumphs in India. In that unfortunate event where can Kashmir stand? Let me repeat that



even then its people will continue their fight for Gandhiji's ideology to the bitter end. The father of the Nation did not give his life in vain. This noble sacrifice will always inspire and sustain us as it did in the critical days of 1947.

While referring to the Praja Parishad you do not mention its connection with R.S.S. Every one is familiar with the role played by the leaders of R.S.S. in Jammu in 1947 precisely at the same time when we were resisting Muslim communalism in Kashmir. I agree that that painful chapter has to be forgotten. But you have yourself said that "we may have to bear the lessons of that great tragedy in mind so as not to make mistakes in future". I earnestly wish you would address this advice to the leaders of the Praja Parishad who were intimately connected with the unfortunate happenings of 1947 in Jammu. On our part, we have no time been vindictive towards them. On the contrary, we wanted them to undo the wrong that they had committed. But the RSS leaders singularly failed to appreciate the spirit of this gesture. When following Gandhiji's assassination, the organisation was banned, it emerged under the garb of the Praja Parishad with the same programme and leadership. My impression of the Praja Parishad is not based upon any prejudice but upon its present activities. I have no doubt that its leadership is leading the State in disruptive directions, thereby threatening its foundations as well as those of India. The adoption of a few misleading slogans calculated to rouse the emotions of the common people cannot lend a democratic or secular character to this leadership.

You mention that the present agitation has been started by the Praja Parishad as its leaders did not find any remedy of their grievances through constitutional means. What were the means that these leaders adopted? Violence, intimidation, profuse abuse of civil liberties have usually been the weapons with which they have threatened the Government. Every year agitations were started under one pretext or another. Such methods are far from being constitutional.



In view of this conduct, past and present, how can there be any common ground between the Government and the Praja Parishad leadership. You do not expect us to compromise our basic principles, for which we have been fighting all these years, in order to accommodate the point of view of the Praja Parishad. So long as this organisation continues to be an instrument in the hands of the R.S.S. leaders, I regret it will not be possible for us to recognise this organisation. Of course, we are prepared to meet all those persons who may have honest differences of opinion with us but whose basic conception about the structure of the State is not at variance with ours. We shall be willing to explain to them our point of view. But this is not possible in an atmosphere surcharged with threats, coercion and violence. I will frankly state that the present leadership of the Praja Parishad is avowedly disruptive and communal in its aim and purpose. Consequently, it will not be possible for us to have any common meeting ground with them.

It is an extremely unjust accusation to charge us with attacking the Dogra. I might in all humility state that at no time have we been swayed by racial prejudices nor have we been motivated by a desire for dominating over any section of the people. I need not be told that rule by force of arms cannot be lasting. I have always stressed the unity of all sections of the people, whether they are in Ladakh, Jammu or Kashmir, on the basis of mutual respect and equal participation in the solution of the problems which are common to people everywhere. It is long since we have realised that the masses, irrespective of their religion or race, can redeem a place of honour for themselves only when they unite against injustice and social oppression. There is no doubt that while speaking to the exploited Dogra masses who, in spite of all the blessing of Dogra rule are still living in drudgery and wretchedness, we may have referred to the inhuman conditions to which a small section of the landlords was subjecting them but in no case can you expect us to condemn the entire Dogra people. We know them to be simple hearted, honest faithful and brave people. It is pity that



some people should take advantage of their simplicity and attempt to mislead them in wrong directions.

You have referred to my opposition to the Maharaja. Much concern has been shown for him by some people in India on account of communal consideration. We have all along maintained some dignity in our struggle against autocracy as we were always conscious that the fight was against the system and not against an individual. It is conveniently ignored that the responsibility of the complications in which India and the State are involved at present rests with the Maharaja. It was open to him to consult the people in time about the future of the State. But on account of his "chronic indecision" he failed to do so, thus leading to the present complications. In those fateful days when the future of the country as a whole was being given a final shape, the Maharaja clamped in jail all the patriotic and nationalist forces within the State who had forged a common link with the nationalist forces in India. The field was thus left free for all communal and disruptive elements within the State till the eve of invasion of Kashmir. All the efforts made by top leaders of India including Gandhiji, Sardar Patel, Shree Jawaharlal Nehru and Shree Kripalani, the then Congress President, to intervene in the unfortunate situation—unfortunate for the State as well as for India—were foiled by his consistent refusal to have any truck with patriotic and nationalist forces within the State. As you must be aware, the Maharaja had built many castles in the air of entrenched power and position and even at the risk of landing the State into grave peril he was not willing to accept the advice of the Indian leaders.

Throughout these fateful days he had allowed himself to be swayed and guided by coterie of foreigners who had their own plans about the State and who at that time occupied positions of power. This coterie even lent him courage to put under arrest Shree Nehru at Kohala when he was on his way to Kashmir to render assistance to the State at that critical juncture. The



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entire Indian people looked this discourtesy as an outrage against the Indian nation and this had repercussions even in the far south where demonstrations to protest against the Maharaja's action resulted in firing leading to loss of many human lives.

The Partition resulted in a conflagration on borders of the State, making the position of the State itself extremely difficult. But even at this crucial stage the Maharaja refused to a decision on the future affiliation of the State. Meanwhile, an invasion was launched on Kashmir from Pakistan. The Maharaja, instead of facing bravely the onslaught of the invaders along with the people, deserted them moved down to a safer place in Jammu. Where he aligned himself with militant Hindu communalism, further aggravating the already critical situation. This is the unpatriotic and anti-national record of the Maharaja for whom you show so much concern.

In my last letter I tried to explain our point of view with regard to the various issues that have been raised in respect of Jammu. The Government has given out full facts which show that no discrimination has been meted out to the people of Jammu nor has it been motivated by any communal or provincial consideration in its administrative actions. Unfortunately, in spite of all this, you do not seem to be convinced by these explanations and have now repeated the charges in general terms.

I do not know what to say to such an attitude where there does not seem to be any great desire to understand our point of view. In spite of our best efforts, our motives are still suspected. In such a situation, let us leave it to the people to judge us.

You have again referred to the delay in the implementation of the Indo-Kashmir Agreements. These agreements have been accepted by the Government of India and by Parliament as also by the Government of the State and its Constituent Assembly. Naturally there can be no question of going back on these



Agreements. They will be implemented at the proper time. But, from the points you have raised in your letter dated 12th February 1953, to Shree Nehru you purpose to completely undo these agreements. I do not know what to make of these contradictions. The agreements are not acceptable to you and yet you would like them to be implemented speedily.

As you have again referred to the "repressive" measures of this Government I would like to repeat that it is no pleasure to us to use force on any occasion. But you do not seem to realise the intensity of violence that has been let loose in Jammu. Naturally you would expect us to discharge the responsibilities of administration properly so that law and order are preserved and normal activity is not paralysed.

We have shown some forbearance. But it is painful to see that you do not appreciate our position. You even endorse the demand for an "Impartial enquiry". It is somewhat respecting to the self respect of any State to be told that even its Chief Justice cannot be impartial.

I am sincerely thankful to you for your offer of assistance. I feel that the best help that you can render to the State is to understand our point of view and appreciate our position dispassionately. In absence of this understanding, it is difficult to proceed towards a constructive and peaceful approach to the problem of the State.

Yours sincerely,  
(Sd.) S.M. Abdullah

\* Dr. Syama Prasad Mookerjee, M.P.  
30 Tughlak Crescent,  
New Delhi.



XVII

30, Tughlak Road,  
New Delhi,  
23rd Feb.'53.

My dear Sheikh Sahib,

I thank you for your letter of February 18, which I have read very carefully. Naturally I am not anxious to carry on a protracted correspondence with you merely for the sake of doing so. There are however, a number of important points in your letter which require a reply from me. My main object in approaching you had been to find out if we could at all bring the present impasse to an end in a peaceful manner, understand each other's view point and seek to create an atmosphere so that all of us, inspite of our other differences, may work together for the building up of the State of Jammu & Kashmir as an integral part of the Indian Union.

You have referred to the need for my correctly understanding the basic principles underlying the relationship of your State with India. Unfortunately your whole theory has been based on a rigid acceptance of a legal fiction created by the British Government in 1947 when they decided not only to divide india into two separate countries but also to bring into existence more than 500 large and small units as so-called sovereign zones. Normally speaking, when the British decided to withdraw from India in 1947, the entire authority of British Crown and Parliament should have passed on automatically to the successor Government. Undivided India having been separated into two, the obvious course would have been to regard the Government of divided India to be the successor Government in respect of the entire zone of Undivided India excluding the newly created State of Pakistan. The political unity of Undivided India was already an established fact and this was indeed the most vital contribution made during British



rule. There was no question at all of any of the units within India claiming the right to secede under any circumstances; Such an attempt would have been regarded as a treason by the British. This united political structure was sought to be broken by the British into many fragments at the time they decided to transfer power. They did so not out of love or of consideration for the people of India or of the previously called Indian States. The main object was to make now India face a veritable crisis by not only creating the highly communal state of Pakistan but also a large number of so called independent zones which might not easily be prepared to integrate with India. The Congress at that time was forced to accept this position, for it was then anxious anyhow to see an end of British rule in India. The British scheme has the three following features; (1) Lapse of paramountcy and all that it meant; (2) States thus becoming independent had the full right to decide their own future regarding accession, (3) Accession was to be in relation to three subjects—foreign relations, communications and defence and with regard to the rest nothing would be done except with their concurrence.

It is obvious that all these had one motive and one alone, and that was to create conditions which would make it difficult for the new Government to establish one strong and unified India.

You rightly refer to the days when you were fighting for democratic rights in your own state in close association with the leaders of the Indian National Congress, who were similarly engaged in what was then known as British India. Obviously at that time the joint intention of all was to create one India based on a truly democratic constitution. In those days no one dreamt of the remote possibility of India being divided on any considerations, communal or otherwise; of any unit thereof demanding separate constitutional rights. Your whole thesis today is dependent on this sudden revival of sovereign powers at the end of British rule in 1947—powers which did not even



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pass into your hands but into the hands of the Maharaja. Circumstances, however, went against him. The very sovereign authority, that you are claiming today was derived by you from the Maharaja who either willingly or by force of events parted with all his legal and constitutional authority. None cared for his alleged constitutional rights.

Undoubtedly the Government of free India proceeded all along on the basis of this legal fiction, forced upon them by the British Government. But barring Hyderabad, Junagarh and Jammu & Kashmir, all the other states, their rulers and their people, realised that their fate was so closely linked up with India that for their safety and for the welfare of the country they should all merge with India and be governed by the new constitution. You know the history of Hyderabad and Junagarh and I need not repeat it here; they also today are irrevocable units of the Indian Union. In the case of Jammu and Kashmir, this could not have been done because war broke out with Pakistan. The constitution of India was being finalised. Thus a legal recognition of the common procedure followed for integration in all other cases had to find its place in our constitution in respect of the State of Jammu and Kashmir. And that was the genesis of Article 370. Sri Gopalaswami Ayyangar while moving the resolution in the Constituent Assembly made it abundantly clear that this was a transitory provision and ultimately the State of Jammu and Kashmir would come into the Indian Union just as all other states had done.

When, therefore, you think that a special provision was made for the accession of the State of Jammu and Kashmir or that you enjoy limited sovereignty, you do so in utter disregard of the historical circumstances under which the scheme of integration was forced on India by the British Govt. You may, of course, say that whatever might have been the origin of your so-called authority, that authority exists today and you are going to exercise it according to your will. Here I would beg of you not to take up an entirely legalistic stand. You are the



Indian first and anything else next. Let us all examine the question in that spirit and by our common efforts undo completely the dis-unifying pattern that the British Government left as their last legacy to us. Between you and us there is another link which draws us close to each-other. Our youths jointly shed their blood for saving this territory, which is part of India, from the cruel hands of the enemy.

Even assuming that your interpretation of Article 370 is constitutionally correct, my appeal to you has been that you should finalise the accession of the State with India as soon as possible and agree to be governed by the constitution of India with such modifications, if any, as may be specially required for the welfare of the State and which will not be harmful to the interests of India as a whole. Leaving aside constitutional niceties, I fail to understand how this approach to the problem can be deemed by you as wrong or unjust from any point of view. And this demand has been made by the people of Jammu and the movement has been sponsored by the Praja Parishad on this basis. Your effort should be to appreciate their fears and doubts and arrive at a settlement with them without raising all sorts of extraneous issue and gravely doubting their motives.

We must get the Kashmir issue out of the clutches of U.N.O. We went there on the issue of aggression and not on that of accession. We expect no help or sympathy from U.N.O. for reasons which are well-known. No doubt assurances of plebiscite have been given by the Govt. of India. Let us stick to the substance of this declaration that accession will be in accordance with the will of the people of the State. There is, however, no question of a general plebiscite, specially so long as one-third of the territory remains in the occupation of Pakistan. When I urged that the will of the people should be finally determined through a resolution to be passed by the Constituent Assembly of your State, I only indicated a procedure which could not be questioned by any impartial body. If this resolution is adopted and Pt. Nehru in his last letter to me says



that he has no objection to this it should finally settle the question of accession between Kashmir and India. My own view is that the Govt. of India should accept it and close this matter.

Then remains the question of its possible effects on U.N.O. and Pakistan. The future of the lost territory may be settled when, if at all, we reoccupy it or Pakistan voluntarily withdraws from this area. Once the question of finality of accession is determined the people of Jammu will feel relieved and their main doubts and fears will be dispelled. It is wrong to suggest that I want or the Praja Parishad wants that Jammu must be separated from Kashmir Valley. The integrity of the State should of course be maintained What I however, said, was that in case the people of Jammu wanted full accession with India and the people of Kashmir Valley wanted a loose integration, clash and conflict were inevitable. One possible solution might be to form Kashmir Valley into a separate State and give it whatever it wants for its development. It would even then continue as one of the units of the Indian Union but would function according to special provisions of the constitution. I had suggested this alternative with no pleasure. This I felt might become inevitable if no settlement could at all be reached. But let us drop this idea altogether and think in terms of united Jammu and Kashmir and find out how to consolidate it with the will in co-operation of the entire people.

Then remains the question of the subjects in respect of which accession should take place. The Praja Parishad has pleaded that your state should be governed according to the constitution of India just as any other part B State is. Here also I have stated that nothing is completely sadrosanet and if there are any articles in the constitution which you feel should be somewhat modified in respect of your State, it is for you to make proposals and undoubtedly they would be examined by parliament and every one else with sympathy and consideration. In respect of certain matters, however, the unity of India has to be maintained and the common rights of the citizens of



India must be observed. They relate of such matters as fundamental rights, citizenship, supreme court, President's emergency powers, economic & financial integration and conduct of elections. Even with regard to some of these the State of Jammu & Kashmir may ask for some variation which can be considered on their merits. May I ask you, is there anything wrong or communal or reactionary in this approach? And are these matters really in capable of peaceful adjustment and understanding? you said there is no Hindu and Moslem question in relation to accession or the acceptance of the provisions of the Indian Constitution. But may I ask, who are opposing this proposal? Not certainly the non- Muslims of your State. And what the fears of the Muslims are, so far as the present constitution goes, you have never cared to explain.

There then remains the questions of the head of the State and flag. Here we have seen no reason why separate provisions should have been made for your State. You may refer to the proceedings of the Constituent Assembly and find out the arguments which were advanced by Pt. Nehru himself against an elected Head of the State. Obviously by this means the party in power will elect someone to fill this office. He is likely to be a party man and the head of the State should be an outstanding person and should not owe his appointment directly to the favour shown by the party in power in that state. Further the Head of the State might be called upon to act on behalf of the president in case of emergency. If he were a party man, both the president and he might find themselves in an embarrassing position, in case such an emergency arose. The nomination of the Head of each State by the President was justified on the ground that by this means a common link would be established between each such head on the one hand and the President of the Union on the other. This variation had however to be made to meet your demand. I have nothing to say against Sadar-i-Riyasat as such. But here again why should not one common name, whatever it may be accepted for all States? If every State



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has its own nomenclature, it will make confusion worse confounded.

As regards the flag, your acceptance of the same flag, as is applicable to the whole of India, would undoubtedly have removed any cause of misunderstanding. Even now you should agree to use the Indian flag from day to day as is done in other parts of India, your State flag being used on special occasions in addition to the India flag.

Incidently, I have been unable to understand your abhorrence of the Bhagwa flag. The Bhagwa colour has no communal meaning. It stands for purity, sacrifice & service. For so many thousands of years this was the colour of the flag in free India. There is no possibility of this colour being accepted in India immediately. But it is amazing that you should think that it represents aggressive Hinduism, Does secularism mean that India must cut herself off from her past history and traditions? The colour of your flag is wholly red, with a special design on it. If any of your uncharitable critics says that it is a camouflage for using the communist flag, surely it will be unfair and you will resent it. Let us not, pray, get colour-blinded.

You have misunderstood completely my reference to the Maharaja in my previous letter. In fact I hardly know the Maharaja and I believe I met him only once at some function. I hold no brief for him nor do I feel that in the modern set up there is any room for hereditary rulership in any part of India. Even when we condemn a man, we need not ignore his good points, it any. You seem to paint the Maharaja in a lurid manner. Yet it was this Maharaja who alone from his class had the courage 20 years ago to stand up at the Round Table Conference in London and plead for a progressive approach by the British towards India's claim for political independence. It is a matter of history that for this act of his he became the eye-sore of British administrators in India. He might have made greivous mistakes and perhaps did things which at some



periods went against his State's welfare and India's national interest. But surely his last performance helped the Government of India and you in achieving your main purpose. You have referred to his act of desertion from Srinagar when the raid on the city was imminent. This is not a fair and an accurate charge. I have seen certain documents and have heard from unimpeachable source that this is untrue and the Maharaja was asked to leave Srinagar at the express wish of Lord Mountbatten and other leaders. One obvious reason was that his signature was essential for finalising certain formalities and it could not have been done if by any chance Srinagar fell and he was captured. It is hardly possible that you are unaware of this fact. For some special reasons you with your family were also away from Kashmir at that time. Need the reason for all this be also gone into now?

Again, did you not yourself write a letter to the Maharaja sometime in September 1947 where you assured him that you and your party never entertained any feeling of disloyalty towards him, his throne or his dynasty? Did you not again write to him in March 1948 when you were asked to take charge of the affairs of Government, valuing the full help and co-operation of the Maharaja and appreciating the spirit in which he had made the offer to you? Surely you cannot charge the Maharaja for having done anything ungracious or atrocious after March 1948. The entire power was then transferred to your hands by the Maharaja's own decision. He was then virtually a rubber-stamp and had to do what the Govt. of India or you wanted him to do. In spite of all the assurances of loyalty that you gave to him personally, you took the earliest opportunity to eliminate him completely from his throne and his dynasty with the full support of the Govt. of India. I shall not say anything about the manner in which this was done after all your expression of gratitude and loyalty. Perhaps you strongly felt that the interest of the people demanded this sacrifice on the part of the Maharaja. In any case having utilised him to the full extent to your political advantage and also to



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what you considered to be the interest of Jammu & Kashmir, it is hardly gracious on your part now to take up past history and attempt to throw the entire blame on him. Great leaders like you can afford to be magnanimous and not unnecessarily express strong sentiments against your past opponents. I hope you will forgive me for saying all this but your failure to observe this necessary precaution has often given rise to unnecessary doubts and controversies. The Maharaja is gone and the present movement is not at his revival. It is aimed for ensuring that full democratic rights may be enjoyed by all sections of people and the minorities may live without fear and with equal rights. In no part of India does the autocratic rule of Maharaja exist now. Wherever they function, they do so as constitutional heads, with no power barring what they derive from the advices tendered to them by their council of Ministers.

You have misunderstood me completely as regards my comments on the composition of the commission of enquiry. I have cast no reflection whatsoever on the honesty and the integrity of your Chief Justice. I do not know him personally but I believe he must be a man, who is above all influences in the discharge of his duties. As I wrote to Mr. Nehru, the other members of the Commission are all administrative officers serving under you. One is Accountant General, the second is Chief Conservator of Forests and the third is Revenue Commissioner. I do not know them. I presume they also are competent and honest in the discharge of their duties. But in the present context of things, they are hardly the persons who can sit in judgement over Government's policy and administration. In other parts of India, whenever similar serious controversies arise, Commissions of Enquiry include Judges exclusively or the majority of their member is taken from the Judiciary. Sometimes matters relating to a particular State are enquired into by a Commission to which Judges from other States are invited to join. This is no reflection on them. I had therefore, suggested to Mr. Nehru that you should be requested to reconstitute the Commission which may include, apart from your Chief Justice,



two judges from other parts of India. Does it indicate any inducement on your Chief Justice or a challenge of your authority? Your autonomy is not apparently disturbed by your using Indian Police to strike at your own citizens. Then why should you consider it as a challenge if you yourself ask some Indian Judges to help you in your administration?

May I remind you of what you yourself did about 20 years ago when a Commission of Enquiry was appointed by the Maharaja to enquire into serious riotings and disturbances in the State of Jammu and Kashmir with which your party and even your name were associated. You and your friends then refused to co-operate with the Commission even though its President was Chief Justice Dalal. You felt, and perhaps rightly so, that a Commission composed of persons who were in State service would hardly be able to do full justice to the grievances of the people. Now that the table has been turned and you are all in all authority today, why should you not appreciate the fears and doubts of those who disagree with some of your official policies and acts and who may be anxious for a really impartial and independent investigation?

I have been unable to understand your refusal even to talk to the representatives of the Praja Parishad. What I have suggested is that the movement should be called off, followed by a Conference where Mr. Nehru, yourself and some representative of the Praja Parishad may be present. All matters, political and constitutional, should be thrashed out there and every attempt is to be made to clear up doubts and fears and create an atmosphere of peace and good-will. Further the prisoners should be released and all confiscatory or other orders should be withdrawn. The Commission should be reconstituted and all grievances regarding economic or administrative matters should be examined by it. Every effort should be made by all sides concerned to create a united front so that the State can be built up with the co-operation of all. The implementation of the July agreement after the issues have been clarified should



be expedited, the rest of the constitution should be completed soon, followed by general elections.

May I ask again, is this an approach which must be dubbed as reactionary, communal and treacherous? Why not take the Praja Parishad at their words and deal with the issues they have themselves raised? The movement is not confined to their members and supporters. It has caught the imagination of the masses and you cannot crush this by force. You all talk so much of Gandhism and Gandhian technique. When, however, the crisis comes, these high sentiments are kept in the background and threats and abuses, jails and confiscation, bayonets and bullets constitute your weapons of ahimsa. Unfortunately you seem to be adamant that under no circumstances will you talk to the Praja Parishad leaders or have anything to do with them. This is a strange attitude on the part of a democratic leader. Whether the Praja Parishad will continue as a political party or not will depend on your desire but on the response it may receive from the people at large. If you, who represent the dominant political party in the State and in whose hands the powers of Govt. rest today feel determined to crush a particular political party that may be opposing you, and to adopt force and other methods for the purpose, then you cease to be a democratic leader. You then become a fascist, but even then your success is doubtful, for in all such cases history has proved that the movement goes underground and ultimately the mighty dictator loses the battle of true freedom. I dare say a man like you who has risen to his present eminence through great sacrifice and sufferings can never dream of adopting such dangerous and self-destructive methods.

Your reason for not negotiating with them is, I believe, based on your estimate of the past association and activities of the Praja Parishad. You have specifically referred to R.S.S. I do not belong to this organisation but I know many people associated with it and I have deep regard and affection for their idealism, patriotism and spirit of sacrifice and service. They



might have made some mistakes in the past, as you and I also might have done on many occasions. But we need not necessarily look upon this organisation as an enemy of the nation. The whole of India barring Jammu and Kashmir has withdrawn the ban on R.S.S. Undoubtedly there were all sorts of allegations against R.S.S. made some years ago. None of them has been proved in a court of law or elsewhere. None of its workers has been, accused and convicted of violent or subversive activities. No impartial tribunal has ever given its verdict against its aims, objects and work. Its association with Gandhiji's tragic murder has not been proved even to the slightest extent. If it is preaching some ideologies which you and others do not like, naturally you are entitled to make counter-propaganda. If people are thus convinced that R.S.S. is bad, they will themselves disown their support of this organisation.

The one specific charge you have brought against R.S.S. and Praja Parishad is that in the fateful days of October 1947 they played an ignoble part in forcing out Muslims from some areas of Jammu and even in depriving some of their lives and honour. It is not possible for me to obtain evidence in support of the validity of this charge. If specific individuals who carried on such acts could be found out, one does not know why they were not put up for trial after you came into power. Why was no Commission of Enquiry set up immediately afterwards? Let me however, accept your contention as true. May I ask you in all earnestness why you should ignore the circumstances under which such tragic events took place in your State? You have made no reference whatsoever to the tragedy that fell on Hindus and Sikhs in Jammu province before the attack on Muslims took place. 15 to 20 thousand Hindus were butchered by the joint acts of Pakistani invaders and Muslims of Jammu State living in those areas. Even today five thousand Hindu women remain untraced and unrecovered. Many were tortured and raped and all sorts of atrocities took place on innocent Hindus and Sikhs. Obviously Hindus and Sikhs did not commit these murders. They were committed by Muslims. You were the ac-



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cepted leader of the National Conference in those days. Can you solemnly pledge that among the assailants, all of whom were Muslims, none belonged to your National Conference which was the dominant party in the State? Why were you staying in Delhi or some-where else at that time and not present at the affected areas to save Hindus and Sikhs from these terrible atrocities? True to the Gandhian spirit, why did you not face the people bravely then? The attacks on Muslims in Jammu started after these atrocities had been committed and thousands of refugees became scattered in different places, carrying with them tales of their sufferings and shame.

Pray do not misunderstand me for a moment. I do not justify either of these sets of occurrences. Evil does not justify evil. You and we have got to see that India does not pass through similar blood-bath in future. My main object is that if we wish well of India we have got to forget the memories of that tragic period. Your repeated reference to only one part of these incidents fills me with wonder when, if at all, you will be able to forget the past and carry with you all sections of the people for the good of your State, and of the country? What about the rest of India? What about my own province, Bengal? In August 1946 were not thousands of Hindus brutally massacred in the great city of Calcutta itself and under the very nose of the Muslim League Ministry and the British Government? Hindus later retaliated. Two months later were not 30 thousands Hindus forcibly converted, hundreds of women raped and many men killed in the district of Noakhali? Are you suggesting that I shall for ever carry in my mind sentiments of hatred and retaliation against the Muslims of West Bengal for what they did in 1946 or 1947? Similar remarks may be made with regard to many other parts of India. Today many of them have been accepted as whitecapped Congressmen and some of their leaders against whom there were grave charges of organising rioting and manslaughter are even occupying important positions. Similarly Muslims in some parts of India may also harbour feelings of hatred against Hindus for the atrocities that



were committed on them by Hindus during the same period. India was then moving in a vicious circle. Action produced reaction and we were on the brink of a precipice. Of course many of the areas where Hindus were the greatest sufferers are now in Pakistan and even today the minorities, wherever they may be in Pakistan, are suffering heavily at the hands of the Muslim League Govt. and are enjoying the peace of the grave. How many Muslim leaders in India have even expressed their lip sympathy at their tragic fate?

So far as we in India including Jammu and Kashmir are concerned, we have got to treat this chapter as closed and offer to each other the hands of comradeship so that we can mutually build up a country, where religion will function not for dividing people into warring camps but for generating mutual respect and understanding, all working as common citizens of a common motherland with equal rights and opportunities for self development. If we go on thinking of the past and refuse to create an atmosphere of trust and co-operation we will be committing national suicide. If, however, any section or individuals betray this trust, they will be dealt with under the law for actual offences and not on past prejudices or even past offences.

I am enclosing a statement showing the nature of excesses and atrocities committed by the authorities. I have no means of checking them nor will mere denial on your part or a departmental report of any of your officers will be an answer to these charges. If half of them is true, they indicate a grave state of affairs. Only an independent enquiry may bring out the truth.

I would earnestly request you to cry halt even at this stage. Repression will not solve the problem. It will create hatred and bitterness which will not be easy to remove. Refusal to talk to your political opponents who are in jail today will not give us a solution. The movement has to be brought to an end and we must make a fresh beginning. Knowing as I do the fears and



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doubts of many of the people associated with the Praja Parishad and also the depth of the feelings that sway the minds of the people of Jammu, I feel confident that if you rise equal to the occasion and offer to sit at a Conference with them, keeping an open mind, mutual understanding and peace will ensue and will be able to begin a new chapter of progress and prosperity. If you do this, you will not lose your prestige but your statesmanship and sense of realism will win for you the esteem and admiration of one and all.

I felt it my duty to open this correspondence with you as I thought that being a fighter yourself all along your life, you would not hesitate to play the game even with those with whom you may violently differ. Upto now I have failed to make you change your attitude. You are in power today and much depends on your right initiative. I shall close this correspondence with deep regret that we could not come to an agreement inspite of the grave danger that lies ahead of us.

Yours sincerely,  
(Sd.) Syama Prasad Mookerji

Sh. M. Abdullah,  
Chief Minister,  
Jammu and Kashmir.

(A copy of the report of repression in Jammu given in Appendix was attached with this letter.)

## APPENDIX

### REPORT OF REPRESSIONS IN JAMMU UPTO 20th FEBRUARY, 1953

Praja Parishad Satyagraha has now been going on in Jammu for the last three months. It has spread to the farthest villages and has assumed the form of a mass-movement. It is being carried on peacefully and non-violently inspite of the



gravest provocations from the side of the Government. Not a single incident of putting any Government servant to death or setting fire to any Government building has taken place so far, inspite of the fact that most of the leaders of the movement have been arrested and put in Jail. But the repression on the side of the Government to suppress this legitimate and peaceful movement has crossed all limits. It has let loose brute force of Police and Militia on the people of Jammu who are being subjected to most inhuman treatment inside and outside the Jails.

The following report gives more idea of the repression now going on in Jammu:

About two thousand persons have offered Satyagraha so far but only about 12 hundred of them have been sent behind the bars. The treatment meted out to the rest of the Satyagrahis was that they were kept in the Police lock-up for the whole day and then loaded on trucks and lorries during the night to be let off at distant in desolate places after giving them a thorough beating. Some of them were thrown in Ranbir Canal as a result of which 4 persons caught Pneumonia one of whom, belonging to Jammu Tahsil, has since died.

In the severest cold of December, when the temperature in Kashmir falls below the freezing point a batch of about 100 prominent persons amongst those arrested was transferred to Srinagar Jail from Jammu Central Jail. They could not bear the severe cold of Kashmir to which they were not accustomed, and so have been undergoing terrible suffering since then.

A few days later, another batch of prisoners was loaded for Srinagar via Banihal Cart Road. On refusal of permission to cross the Pass by the Military authorities as it had become snow bound the prisoners were kept at Banihal on the foot of Pir Panchal although no Sub-Jail exists there. In the benumbing cold and heavy rains the Satyagrahis were not allowed for 48 hours to ease themselves or move out to attend the calls of na-



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ture. During the first 10 days they were given very meagre food for 8 times only, instead of 20. To protest against this inhuman treatment the prisoners had to go on hunger strike. Seventy four of them were kept in Sericulture Insect Breeding House. As a result a number of them fell ill out of whom the condition of Shri Masat Ram and Shri Charan Dass became critical.

Some of the Satyagrahis were subjected to barbarous torture in the Police Lines of Jammu after their arrest. The examples of this sort of torture can be cited in the case of Shri Bhagwat Swaroop, B.A., Thakur Nanak-Singh, Secretary of the Rajput Sabha, Shri Shiv Ram—a prominent worker of the Harijan Mandal and Shri Vishwapal. They were not only given shoe-beating but also the hair of the private parts of the body were pulled out. Shri Rishendass from Rishnal (R.S. Pura Tehsil) was so mercilessly beaten in the local Thana that he fell unconscious several times. In a number of cases the Satyagrahis were forcibly pulled out from the procession, caned in open and dragged by legs to the Police Station.

Fire has been opened on peaceful processions eleven times and Lathi-charge has been made at 31 places. These have resulted in the death of a number of persons of whom the remains of 19 persons have been traced so far. The chronological report of these lathi-charges and killings is given below:-

On the 26th of November, immediately after the arrest of Pt. Premnath Dogra, Police Lathi-charged the people, who had assembled to listen Pt. Dogra, so severely and indiscriminately that an Inspector of Indian Intelligence was also severely injured. The lathi charge at Udhampur on the 29th of November resulted in severe injury to a number of women. The most severe lathi-charge was made at Badhrawah on the 17th of January on a peaceful procession led by Ch. Kushi Mohd., the Tehsil President. He and scores of other were severely injured. The Satyagrahis were stripped naked and humiliated in many ways. A lathi-charge was made on a peaceful



procession on the 28th of January as a result of which one woman died.

**Firings**—The first shot was fired by the Police on a Parishad Procession at Sambha on 27th of November. But it did not result in any fatal casualty.

The first to die of police bullets was Shri Mela Ram at Chhamb on the 15th December. The Government at first denied any casualty but when his body was brought to Jammu the Government had to admit the fact.

On the 29th of December, 3 persons were shot dead when police opened fire on a peaceful procession at Sunderband, a village about 25 miles from Jammu. Their dead bodies were burnt at dead of night and even their remains were not given to their next of kin. Here too the Government first denied any casualty but had to admit the fact after three days when the names and the addresses of the dead became known to the people.

On the 11th of January worst firing took place at Hira Nagar, a Tehsil place about forty miles from Jammu on the Pathankot Jammu Road in the presence of two Ministers of the State. The number of the dead as a result of this firing has not yet been ascertained. The dead bodies of two of them—M/s Bihari Lal and Bhikam Singh— were found half burnt in a Nallah near the Indian border the next morning. But according to the report of the Fact Finding Mission sent by the People's Party, 13 are missing and twenty were injured as a result of this firing, which appeared to be more in nature of display of might, rather than to deal with any particular situation real or imagined according to that report.

The last firing took place at Jaurian village about 30 miles to the West of Jammu on the 30th of January. A procession of three thousand villagers from the surrounding villages was first



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tear gassed and then fired upon while it was carrying the dead body of the woman who had succumbed to the injuries received as a result of police lathi-charge on the previous day, to the cremation ground. According to the authorities 5 were killed and one was injured. But according to the report of Sardar Bachan Singh Panchi, who was deputed by the State Akali Dal to visit the place to ascertain the true facts, a much larger number of persons was missing. The names and addresses of nine of them have so far been traced. The number of the injured according to his report runs to over 2 hundred, twenty of whom were seen by him in one village alone. Not a single dead body was restored to the guardians of the deceased.

### Crimes perpetrated on women.

The worst part of this campaign of repression is the cruelties and crimes being perpetrated against women who have sympathy for the movement.

A women's procession in Jammu on the 11th of December, was repeatedly tear-gassed and lathi-charged as a result of which many ladies including small girls, received severe injuries. One girl remained unconscious for full 12 hours. Another was refused admittance in the Hospital because of her precarious condition. Two lady Satyagrahis, who were leading the procession, also became unconscious and were taken to Jail in that very condition.

On the 6th of January police arrested four satyagrahi ladies who were leading a procession in Jammu city. They were kept in the police lock-up the whole day long. At 11.00 in the night they were taken out of the lock-up and thrown on the roads.

On the 26th January, 10 Satyagrahi ladies who were picketing at the bus stand were man-handled by the police. A police officer abused them in the most filthy language. Their leader Kumari Sharda was arrested. As a result of the ill-treatment in



the jail, she fell ill. After seven days when it was found that her condition had become precarious, she was thrown out of the jail in the unconscious condition.

On 17th January, 3 girl students of Mahila College were abused, man-handled and assaulted by an Inspector of Police while they were dragged by their hair.

On the 27th of January, the police raided the house of a Numberdar in the village Rothusa at 2.00 a.m. in the night. He was not at home. They asked about him from the two young ladies who were there at the time. On their inability to tell the whereabouts of the Numberdar they were stripped of their clothes, criminally assaulted and then carried to jail. They were maltreated in the jail as well.

On the 3rd of February, police raided the village Gho Manhasen in Jammu tehsil. It forcibly entered the house of Thakur Rachpal Singh who is in jail and looted 12 tolas of gold and 500 rupees from his safe. His wife was mal-treated and the maid-servant in the house was stripped naked and criminally assaulted by the Police.

Ten ladies at Udhampur had to go on Hunger Strike as a protest against this ill-treatment to the Satyagrahis, particularly women, inside and outside the jails.

The worst feature of these crimes against women is that the Police is being sent after giving spirituous drinks to them, so that they might handle the Satyagrahis particularly in a cruel and senseless manner to strike terror in the people.

Since the beginning of Non-co-operation and Civil disobedience, the second phase of the Satyagraha, Kashmir Militia and Police have let loose a reign of terror in the countryside.



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Jammu, Akhnoor and Riasi Tehsils have been first chosen for this campaign of terror. They have been completely thrown on the mercy of Police and Militia who have been raiding villages in batches to terrorise the people. A few glaring cases are given below:

In the village Gho Manhasen Santoo Mahajan was threatened in his own house and pair of 3 earrings along with rupees 200 were looted.

In Kulkarian thorough search of many houses was carried out and the household belongings of Shri Mewa Singh who was later arrested, thrown out.

Severe beating to Kartar Singh of Gho-Manahasen resulted in the fracture of his knees and heavy wound in the interior of his mouth. Sansar Singh Chibb and Santo were severely injured.

On 18th Magh, the house of Pt. Abhey Ram in the village Ganjoo was searched and his whole female household terrorised.

On this very, day, at 4.0 p.m. in village Sahaan, house of Messrs Baldev Singh and Fakir Chand Mahajan were raided. After search six Harijans were beaten. The same day at 5 p.m. in village Karlop houses of Messers Shri Ram and Nand Lal, were raided and keys were forcibly obtained from the women-folk by threatening them with beatings. At 7.0 p.m. in village Plora Harmukandpura house of Mr. Ram Chand was searched and about 2 tolas gold along with rupees 13/- in cash was taken away. Here two persons were injured by the police beatings. On the 17th Magh, house of Shri Chhaju Ram in Garota was searched and the inmates immorally harrassed. Getting disappointed in not having found anything in the house of Pt. Sita Ram of village Shri Pondtan the whole household was abused and terrorised. A neighbour was arrested and then let off.



In this immoral hunt for workers and terrorising people, police party reached Palwal and searched Shri Ram Chand's house. Having found nothing there, made its way to Koat. Here the houses of Messers Munshi Lanchmandas and Pt. Dehroo Ram were searched. But nothing was found. This irritated the unscrupulous police officers, who lost all balance and arrested a minor aged ten along with the post master. Both of them were released in Domana the following day after severe beating.

On 19th Magh, in village Paryal House of Mr. Budhi Singh was raided. His son Keor Singh and sister were beaten in his presence. When he raised hue and cry, he too was beaten. Since then he is lying in bed. The house was thoroughly searched and Rs. 800/- in cash were taken away. Shri Keor Singh was also arrested. Shri Wakil Singh's house was raided and all the sweets and other things which he had collected for the marriage of his daughter were confiscated. Rs. 300 in cash also were taken away. After raiding the house of Indir Singh and confiscating some of his belonging, the "Victorious Party" returned.

In village Laddoar house of Shri Dewan Chand was raided and his brother was beaten. A local Harijan, who stood near by, was ordered to give him a further shoe-beating. On his hesitation to comply with such a strange order, he too was beaten. On their return journey, the Police Party brought one tin of Kerosene Oil and one full truck of fuel.

On 23rd Magh, at ten in the morning house of Shri Shatrugun of village Marh was raided. A chair and ornaments of the women were confiscated. Moustaches of Mr. Ghaju Ram Harijan were cut off along with a part of his head hair. Durga Das Harijan was beaten and arrested but on a bribe of Rs. 40/- was released. During the day while perpetrating these criminal atrocities houses of all of the four villagers were raided. At nightfall when the police began to return, the villagers heaved a sigh of relief.



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On 24th Police marched towards Garohta through Agaur. Reaching there the attack was made at the house of Kaviraj Chhaju Ram which proved fruitless and the police had to return empty handed.

Being irritated by the applications made in the Court by the inhabitant of Sangrampur against the inhuman treatment meted out to them on Magh 22, the police again sieged the whole village on Magh 24. The helpless and innocent people, both young and aged, men and women, fled out of the village terror stricken. But many of them including Dhani, a Mahajan, realised the scene of the Pakistani invasion. Dhani, a harijan, was beaten while running. Shib Ram Longu, Chatro Das and Ram Dass were severely manhandled. The blood rushed out from the head of Chhatro Dass. At Domana, a village about eight miles from Jammu on the bank of canal, a sweat-meat-seller was plundered of all the sweat-meats, the only source of family.

On Magh 21, the police again raided the villages of Gho-Manahs and Rathoa. The son of Kaka Ram was severely beaten and they searched his house but could not recover Ram Piari. At Rathua, the keys were recovered from a ten year old daughter of Ch. Ram Lal Tempo and again searched his house. Bajura Yogi of Rathoa was severely beaten. The Police announced there that anybody found giving water to his bullocks will be severely punished. The Police ordered for kerosene oil so that his house may be set on fire.

On Phagan 28, 2009, 28 persons arrested in a procession at Bilwar, were cruelly beaten at mid-night. In this extremely cold part of Jammu, they were not provided with beddings and were forced to pass full three days without water and food. Some of the Satyagrahis having been beaten at the icy hands of the police & militia, have resulted in swelling.

**In village Bilwar of Basoli Tehsil, a Militaryman, who was heavily beaten succumbed to death on Phagan 27, 2009.**



Some villagers on their way to a shop in the nearby village and another group of the villagers going for worship in a temple in the adjoining village were cruelly beaten.

In the Ramkot area, the same tehsil, Kashmir Militia and Police in hundreds entered the villages, beat the menfolk and terrorised and manhandled the ladies and looted their property. The people of the illaqa consequently have left their homes and have taken recourse to living in jungles to avoid police atrocities.

A maid cook of Richpall Singh of Jammu Tehsil was totally made naked by the police in course of search of his house.

How brutally the Police lathi-charged the people can well be imagined from the fact that the skulls of two villagers, Bhagat Singh and Teja Singh, were broken out.

Two Military Soldiers Baikunth Singh and Pritam Singh in Akhnoor who were on leave, were arrested by the Police, while on their way to Canteen and kept under in their custody for full 15 days.

Hundreds of Milita soldiers and Policemen with the help of the Muslims of the Illaqa raided and looted the village Kawana of tehsil Nowshera.

About 100 Kashmiri Militia soldiers raided the village Kot Mehra near Pakistan border in Tehsil Akhnoor and looted property worth Rs. 4,000/- after having severely beaten the residence of the village.

The Govt. has taken away the arms distributed in the villages like Bokar, Dadora, Bhagwan Chak, Sajana and Sanial on the Pakistan Border. This had resulted in an increase of Pakis-tani raids into these areas.



## CHAPTER 8

# PAKISTAN LETS LOOSE RAIDERS

I want to speak to you tonight about Kashmir, not about the beauty of that famous valley, but about the horror which it has had to face recently. We have passed through very critical days and the burden of taking vital and far-reaching decisions has fallen upon us. We have taken those decisions and I want to tell you about them.

The neighbouring Government, using language which is not the language of Governments or even of responsible people, has accused the Government of India of fraud in regard to the accession of Kashmir to the Indian Union. I cannot emulate that language nor have I any desire to do so, for I speak for a responsible Government and a responsible people. I agree that there has been fraud and violence in Kashmir but the question is: Who is responsible for it? Already considerable parts of the Jammu and Kashmir State have been overrun by raiders from outside, well-armed and well-equipped, and they have sacked and looted the towns and villages and put many of the inhabitants to the sword. Frightfulness suddenly descended upon this lovely and peaceful country and the beautiful city of Srinagar was on the verge of destruction.

I want to say at once that every step that we have taken in regard to Kashmir has been taken after the fullest thought and consideration of the consequences and I am convinced that what we have done was the right thing. Not to have taken those steps would have been a betrayal of a trust and cowardly submission to the law of the sword with its accompaniment of arson, rape and slaughter.



For some weeks past we had received reports of infiltration of raiding bands into the State territory of Jammu province, and also of a concentration of armed men near the border of Kashmir with the North-West Frontier Province. We were naturally concerned about this not only because of our close ties with Kashmir and her people but also because Kashmir is a frontier territory adjoining great nations and therefore we were bound to take an interest in the developments there. But we were anxious not to interfere and we took no step whatever to intervene even though a part of the Jammu province was overrun by these raiders.

It has been stated that there were raids from the Jammu side across the Pakistan border and that there was communal trouble in Jammu, and Muslims were killed and driven away. In the past we have not hesitated to condemn civil whoever might have committed it, whether Hindus or Sikhs or Muslims, and so if Hindus or Sikhs or any functionaries of the State misbehaved in the Jammu province, certainly we condemn them and regret their deeds.

But I have before me a detailed list of 95 villages in the Jammu province which have been destroyed by the raiders from Pakistan. Bhimbar, a considerable town, had also been sacked and destroyed. Other towns are besieged and a considerable part of Poonch and Mirpur areas is in the possession of the raiders. Does this indicate that aggression took place from the Kashmir side upon West Punjab or does it not show that there has been continuous organized aggression from West Punjab against the Kashmir State? These raiders possess the latest type of modern arms. It is reported that they have used flame-throwers, and a disabled tank has been discovered with them.

About this time we were asked by the Kashmir State to provide them with arms. We took no urgent steps about it and



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although sanction was given by our States and Defence Ministers, actually no arms were sent.

On the night of the 24th October I learnt of another raid, this time from the Abbottabad-Mansara Road which enters Kashmir near Muzzafarabad. We were told that armed and well-equipped persons in over one hundred lorries had broken in, had sacked Muzzafarabad and killed many persons there, including the District Magistrate, and were proceeding along the Jhelum Valley road towards Srinagar. The State forces were spread out in small numbers all over the State and they could not stop this armed and well-organized raid. The civil population, Hindu and Muslim, fled before the raiders.

It was on the night of the 24th that for the first time a request was made to us on behalf of the Kashmir State for accession and military help. On the morning of the 25th we considered this in the Defence Committee but no decision was taken about sending troops in view of the obvious difficulties of the undertaking. On the morning of the 26th we again considered this matter. The situation was even more critical then. The raiders had sacked several towns and had destroyed the great power house at Mahoba which supplies electricity to the whole of Kashmir. They were on the point of entering the Valley. The fate of Srinagar and the whole of Kashmir hung in the balance.

We received urgent messages for aid not only from the Maharaja's Government but from representatives of the people, notably that great leader of Kashmir, Sheikh Mohammed Abdullah, the President of the National Conference. Both the Kashmir Government and the National Conference pressed us to accept the accession of Kashmir to the Indian Union. We decided to accept this accession and to send troops by air, but we made a condition that the accession would have to be considered by the people of Kashmir later when peace and order we established. We were anxious not to finalise anything in a



moment of crisis and without the fullest opportunity being given to the people of Kashmir to have their say. It was for them ultimately to decide.

And here let me make clear that it has been our policy all along that where there is a dispute about the accession of a State to either Dominion, the decision must be made by the people of that State. It was in accordance with this policy that we added a provision to the Instrument of Accession of Kashmir.

We decided to send troops in the afternoon of the 26th October. Srinagar was in peril and the situation was urgent and critical. Our staff worked hard day and night and at daybreak on the 27th our troops went by air. They were small in numbers to begin with but immediately on arrival they rushed into action to stop the invader. Their gallant commander, a brave officer of our Army, was killed the next day.

Since then troops and equipment have been flown over daily, and I should like to express my high appreciation and the appreciation of my Government for the fine work which our staff have done, as well as the pilots and the air crews who have thrown themselves into this adventure heart and soul. The airlines have co-operated with us fully and to them also I am grateful. Our young men have shown how they can rise to the occasion in a moment of crisis to serve their country.

Srinagar was in peril and the invader was almost on its doorstep. There was no administration left there, no troops, no police, Light and power had failed and there were a vast number of refugees there and yet Srinagar functioned without obvious panic and the shops were opened and people went about the streets. To what was this miracle due? Sheikh Abdullah and his colleagues of the National Conference and their unarmed volunteers, Muslim and Hindu and Sikh, took charge of the situation, kept order and prevented panic. It was a wonderful



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piece of work that they did at a moment when the nerves of most people might have failed them. They did so because of the strength of their organization, but even more so, because they were determined to protect their country from the ruthless invader who was destroying their country and trying to compel them by terrorism to join Pakistan. Whatever the future may hold, the people of the Valley of Kashmir have exhibited during these past few days remarkable courage, capacity for organization and unity.

It would be well if this lesson were understood by the whole of India which has been poisoned by communal strife. Under the inspiration of a great leader, Sheikh Abdullah, the people of the Valley, Muslim and Hindu and Sikh, were brought together for the defence of their common country against the invader. Our troops could have done little without this popular support and co-operation.

The Maharaja of Kashmir deserves to be congratulated on his decision to make Sheikh Abdullah the head of the administration at this critical juncture. That was a wise step which other Rulers might well follow, making their people trustees and defenders of freedom.

It must be remembered, therefore that the struggle in Kashmir is a struggle of the people of Kashmir under popular leadership against the invader. Our troops are there to help in this struggle, and as soon as Kashmir is free from the invader, our troops will have no further necessity to remain there and the fate of Kashmir will be left in the hands of the people of Kashmir.

We have passed through days of peril not only for Kashmir but for the whole of India. That peril is less now but it is by no means over and many other dangers confront us. We have to be very vigilant and well prepared for whatever may happen. The first step in this preparation is to put an end completely to every ~~marker of communal strife in India~~ Preservation Foundation Chandigarh and to stand up as a



united nation to face every danger which might threaten our freedom. External danger can only be faced effectively when there is internal peace and order and an organized nation.

We talk about the invaders and raiders in Kashmir and yet these men are fully armed and well-trained and have competent leadership. All of these have come across from Pakistan territory. We have a right to ask the Pakistan Government how and why these people could come across the Frontier Province or West Punjab and how they have been armed so effectively. Is this not a violation of international law and an unfriendly act towards a neighbour country? Is the Pakistan Government too weak to prevent armies marching across its territory to invade another country or is it willing that this should happen? There is no other alternative.

We have asked the Pakistan Government repeatedly to stop these raiders from coming and to withdraw those who have come. It should be easy for them to stop them, for the roads into Kashmir are very few and have to pass over bridges. We on our part have no intention of using our troops in Kashmir when the danger of invasion is passed.

We have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given, and the Maharaja has supported it, not only to the people of Kashmir but to the world. We will not and cannot back out of it. We are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations. We want it to be a fair and just reference to the people and we shall accept their verdict. I can imagine no fairer and juster offer.

Meanwhile, we have given our word to the people of Kashmir to protect them against the invader and we shall keep our pledge.

(Broadcast from New Delhi, November 2, 1947)



## CHAPTER 9

# THE STATE'S ACCESSION

I am glad to have this opportunity of explaining to the House the course of events that led to our intervention in Kashmir with the aid of Armed Forces, and the attitude of the Government of India to the grave problems that have arisen in the State.

The House is aware that on the lapse of Crown Paramountcy on the 15th August, this year, Kashmir did not accede to either Dominion. We were of course vitally interested in the decision that the State would take. Kashmir, because of her geographical position with her frontiers with three countries, namely, the Soviet Union, China and Afghanistan, is intimately connected with the security and international contacts of India. Economically also Kashmir is intimately related to India. The caravan trade routes from Central Asia to India pass through the Kashmir State.

Nevertheless, we did not put the slightest pressure on the State to accede to the Indian Dominion, because we realized that Kashmir was in a very difficult position. We did not want a mere accession from the top but an association in accordance with the will of her people. Indeed, we did not encourage any rapid decision. Even in regard to a standstill agreement, no speedy steps were taken by us, although Kashmir had entered into a standstill agreement with Pakistan soon after the 15th August.

We learnt later that serious external pressure was being applied on Kashmir by the Pakistan authorities by refusing to



send to Kashmir supplies vital to the needs of the people, such as foodgrains, salt, sugar and petrol. Thus an attempt was being made to strangle Kashmir economically and force her to accede to Pakistan. This pressure was serious, because it was not easy for Kashmir to obtain these essential supplies from India on account of the difficulty of communications.

In September, news reached us that tribesmen of the North-West Frontier Province were being collected and sent to the Kashmir border. In the beginning of October events took a grave turn. Armed bands moved into the Jammu province from the neighbouring districts of West Punjab, committed serious acts of depredation on the local inhabitants, burnt villages and towns and put a large number of people of death. Refugees from these areas poured into Jammu.

On the Jammu side of the border the local inhabitants, who are chiefly Hindu and Rajput, took retaliatory measures and drove out the Muslims living in those border villages. In these border conflicts a very large number of villages were destroyed or burnt by both parties on either side of the frontier.

The raiders from West Punjab into the Jammu province increased in number and spread out over that province. The Kashmir State Army which had to meet these raids at numerous points soon found itself broken into small fragments and gradually ceased to be a fighting force. The raiders were highly organized, had competent officers and modern arms. They succeeded in occupying a considerable part of the Jammu province, more especially in the Poonch area. The towns of Poonch, Mirpur, Kotli and some other places held out.

About this time the State authorities asked us to supply them with arms and ammunition. We agreed to do so in the normal course. But in fact no supply was made till events took a more serious turn. Even at this stage no mention was made of accession to India.



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The leader of the popular organization in Kashmir, Sheikh Mohammed Abdullah, President of the Kashmir National Conference, was released from prison during this period and we discussed the situation in Kashmir with him as well as with the representatives of the Maharaja of Kashmir. We made it clear to both of them that while we welcome the accession of Kashmir we did not want any hurried or forced accession and we would rather wait for the people to decide. Sheikh Abdullah was himself of this opinion.

On the 24th October we heard that large armed bands consisting both of tribesmen from the Frontier and ex-service-men had broken through Muzzafarabad and were marching on Srinagar. These raiders had crossed Pakistan territory and they were equipped with Bren guns, machine-guns, mortars and flame-throwers and had at their disposal a large number of transport vehicles. They moved rapidly down the Valley, sacking and burning and looting all along the way. We gave earnest consideration to this situation in our Defence Committee on the 25th and 26th October. The position on the morning of the 26th was that the raiders were marching towards Srinagar and there was no military detachment capable of stopping them. They had been stopped for two days near Uri by the State forces under a gallant commander who resisted this advance to the point of death. These two days thus gained were very valuable.

We were asked at this stage on behalf of both the Maharaja and Sheikh Abdullah to accept the accession of the State to the Indian Union and to intervene with the Armed Forces of the Union. An immediate decision was necessary, and in fact it is now clear that if we had delayed the decision even by 24 hours, Srinagar, would have fallen and would have suffered the tragic fate that befell Muzzafarabad, Baramula and other places. It was clear to us that we could not possibly accept under any circumstances the ruin of Kashmir by brutal and irresponsible raiders. This would have been a surrender to fightfulness and fanaticism of the worst type and it would have had the most



serious consequences all over India. To intervene at this stage was no easy matter and was full of risks and danger. Yet we decided to face this risk and intervene because any other course would have meant ruin to Kashmir and greater danger to India.

In accepting the accession, however, we made it perfectly clear to the Maharaja that his Government must be carried on in future according to the popular will and that Sheikh Abdullah should be charged with the formation of an interim government on the new model adopted in Mysore. Sheikh Abdullah, in our opinion, had undoubtedly the support of the large majority of the people of Kashmir, Muslims, Hindus and Sikhs, Further, we made it clear that as soon as law and order had been restored in Kashmir and her soil cleared of the invaders, the question of the State's accession should be settled by reference to the people.

I shall to detain the House by dealing with the course of the military campaign that followed. The fact are well-known and redound to the credit of our military organization, our troops and our airmen. It must remembered also that our operations have been very largely based on air transport in difficult circumstances. Our civil airlines and their aircrews functioned with remarkable success.

One fact, however, which contributed to our success, at least as much as the military operations, was the maintenance, under the leadership of Sheikh Abdullah, of the civil administration and the morale of the civilian population. The civilian population, completely unarmed, with the enemy within a few miles of the city, behaved in a manner which showed extra ordinary courage and coolness. They did so, because they had a great leader and because Hindus, Muslims and Sikhs all joined together under him to throw back the enemy and to save Kashmir, their common heritage. This fact is one of the most remarkable events of recent times in India and one from which the rest of the country may well take a



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profitable lesson. It was certainly a factor of the most vital importance in the saving of Srinagar.

The present positions is that our troops have relieved Poonch and are within eight miles of Kotli. The terrain in which they are fighting is difficult and mountainous and the roads and approaches have been destroyed by the raiders. progress is, therefore, slow. In the Poonch area occupied by the raiders several massacres of the non-Muslim inhabitants have taken place involving a large number of persons.

I should like to say here that certain events happened near Jammu early in November which I regret very deeply. The Muslim convoys of evacuees were being take away from Jammu when they were attacked by non-Muslim refugees and others and a large number of casualties were inflicted. The troops escorting them did not play a creditable role. I might add that none of our troops were present or had anything to do with this. We have issued the most stringent orders to our troops to protect the people, to act with impartiality and indeed to make friends with the local population. I am glad to say that they have carried out these instructions.

The House is aware that the Pakistan Government have protested emphatically against our action in Kashmir. In doing so they have used language which is not becoming any government and have alleged fraud and conspiracy on our part. I need only say that I am completely convinced that every action that the Government of India have taken in regard to Kashmir has been straight and above board and I can defend it at any time before the world. We have indeed bee over-scrupulous in this matter so that nothing may be done in the passion of the moment which might be wrong. The behaviour of our Army has all along been good and worthy of our traditions.

I cannot say this of the Pakistan Government. Their case is that the genesis of the trouble was the extensive killing of Mus-



lims in Eastern Punjab and Kashmir and that the raid on Kashmir was a spontaneous reaction to this on the part of the tribesmen. I think this is completely untrue. I regret deeply that in parts of the Jammu province Muslims were killed and driven out. This of course has had nothing to do with our Government or our forces. But this mutual killing has been a very tragic feature during these past months in the Punjab, and Jammu was powerfully affected by this. We have sufficient evidence in our possession to demonstrate that the whole business of the Kashmir raids both in the Jammu province and in Kashmir proper was deliberately organized by high officials of the Pakistan Government. They helped the tribesmen and ex-servicemen to collect, they supplied them with the implements of war, with lorries, with petrol and with officers. They are continuing to do so. Indeed, their high officials openly declare so. It is obvious that no large body of men could cross Pakistan territory in armed groups without the goodwill, connivance and active help of the authorities there. It is impossible to escape the conclusion that the raids on Kashmir were carefully planned and well organized by the Pakistan authorities with the deliberate object of seizing the State by force and then declaring accession to Pakistan. This was an act of hostility not only to Kashmir but to the Indian union. It is only necessary to see the semi-official organs of the Muslim League and the Pakistan Government to find out the attitude of that Government. If we had allowed this scheme to succeed, we would have been guilty dereliction of duty to India. The results of these on the communal and political situation all over India would have been disastrous.

The Pakistan Government have proposed a simultaneous withdrawal of our forces and the raiders from Kashmir. This was a strange proposal and could only mean that the raiders were there at the instance of the Pakistan Government. We cannot treat with freebooters who have murdered large numbers of people and tried to ruin Kashmir. They are not a State, although a State may be behind them. We have gone to Kashmir to protect the people and as soon as this duty is discharged our



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forces need not remain there and we shall withdraw our forces. We cannot desert the people of Kashmir till the danger is passed. If the Pakistan Government are sincere, they can stop the entry of these raiders and thus accelerate the return of peace and order. After that let the people of Kashmir decide and we shall accept their decision. But if this armed conflict continues, no opportunity is given to the people to decide by peaceful means, and the decision gradually take shape though the sacrifice and power of the people in this conflict.

In order to establish our bona fides, we have suggested that when the people are given the chance to decide their future, this should be done under the supervision of an impartial tribunal such as the United Nations Organization.

The issue in Kashmir is whether violence and naked force should decide the future or the will of the people. The raiders encouraged by Pakistan have sought to enforce by the sword accession to Pakistan against the obvious wishes of large numbers of the people in Kashmir. We cannot permit the success of this method to achieve political ends. It is a tragedy that Pakistan should ally itself to such methods instead of devoting itself to the urgent tasks of economic and social reconstruction.

Kashmir has gone through fire and I am sure that the House would like me to communicate its sympathy to the people of Kashmir for the tribulations they have been going through in recent weeks. This fair land, which Nature has made so lovely, has been desecrated by people who have indulged in murder, arson, loot and foul attacks on women and children. The people have suffered greatly from shortage of the most vital necessities of life and yet, under the inspiring lead of Sheikh Abdullah, they have stood together in the hour of calamity and showed to the rest of India an example of what communal unity can achieve. Whatever the future may hold, this chapter in the history of Kashmir will be worth reading and we shall never regret that in their hour of distress we have



been able to be of assistance to this gallant people. Kashmir and India have been bound together in many ways from ages past. These last few weeks have forged a new link which no one can sunder.

(Statement made in the Constituent Assembly (Legislative),  
New Delhi, November 25, 1947)



## CHAPTER 10

# REFERENCE TO UNITED NATIONS

**A**s is well know now, the Government of India has made a reference to the Security Council of UNO in regard to the invasion of Kashmir by persons coming from or through Pakistan.

The Government desires to take the Press and the public into full confidence in so far as it can, having regard to diplomatic decorum and propriety. It has waited thus far because it would have been proper for the Security Council to consider the matter first before any publicity was given to it, but, in view of references being made to this subject by the Foreign Minister of Pakistan and by others, it is desirable to state the facts briefly.

I have previously, on several occasions, placed before the country the facts relating to Kashmir ever since we sent our troops there on October 27, 1947. Our troops succeeded in saving the valley of Kashmir and the city of Srinagar and drove back the enemy to Uri along the Jhelum Valley road.

Since then, fighting has taken place on a large front along almost the entire border of the Kashmir State and Pakistan. Very large numbers of armed men, in battle formation and fully equipped with modern arms, have entered Kashmir State territory at many places, and still larger concentrations of these men have been made along the border on the Pakistan side.

These border areas of Pakistan have become the base of operations for these invaders and, from the security of these



bases, large numbers come across and raid, burn and loot on Kashmir State territory which is Indian Dominion territory.

The Government of India would have been justified, in self-defence, to strike at these bases, and thus put an end to the sources of supply of these invaders. It has, however, scrupulously avoided doing so, so as to limit the field of operations and in the hope that the Pakistan Government will cease aiding and abetting these invaders.

During the last two months, repeated requests have been made to the Pakistan Government to prevent the use of its territory for aggression on India. It has not only not done so, but it is an established fact that these invaders, among whom are a large number of Pakistan nationals, have been helped in every way but the Pakistan Government.

They are allowed transit through Pakistan territory by motor transport and railway trains, supplied petrol, food and accommodation; and the arms they possess are manifestly the arms of the Pakistan Army. Pakistan Army personnel have also been captured by our troops in the operations in Kashmir.

Not only has the Pakistan Government not taken effective steps to prevent this invasion, but it has refused even to call upon the invaders to desist from their active aggression.

The Government of India cannot tolerate the use of a friendly and neighbouring country as a base for the invasion of Indian territory but, in its desire to avoid any action, unless it is compelled by circumstances to take it, it has decided to refer this matter to the Security Council of the United Nations.

On December 22, 1947, a formal request was made in writing to the Prime Minister of Pakistan. In this letter the acts of aggression of Pakistan and the forms of aid given by Pakistan to the invaders were briefly stated and the Government of



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Pakistan was asked to call upon Pakistan nationals to cease participating in the attack on the Jammu and Kashmir State and to deny to the invaders: (1) all access to and use of Pakistan territory for operations against the Kashmir State; (2) all military and other supplies: (3) all other kinds of aid that might tend to prolong the present struggle.

The Government of India expressed its earnest desire again to live on terms of friendship with Pakistan and hoped that its request would be acceded to promptly and without reserve. It pointed out, however, that, failing such response, it would be compelled to take such action, with due regard to its right and obligations as a member of UNO, as it might consider necessary to protect its own interests and those of the Government and people of Jammu and Kashmir State.

As no reply was received to this formal request, two reminders were sent. Ultimately, on December 30, a formal reference was made to the Security Council of UNO through the representative of the Government of India with UNO. On December 31, a copy of this reference was sent by telegram to the Pakistan Government.

This reference stated the facts of the case and pointed out that they indisputably pointed to the following conclusions;

- (a) that the invaders are allowed transit across Pakistan territory;
- (b) that they are allowed to use Pakistan territory as a base of operations;
- (c) that they include Pakistan nationals;
- (d) that they draw much of their military equipment, transport and supplies (including petrol) from Pakistan; and



- (e) that Pakistan officers are training, guiding and otherwise helping them.

There was no source other than Pakistan from which such quantities of modern military equipment, training and guidance could have been obtained. The Government of India requested the Security Council, therefore, to ask the Government of Pakistan:

- (1) to prevent Pakistan Government personnel, military and civil participating in or assisting the invasion of the Jammu and Kashmir State;
- (2) to call upon other Pakistan nationals to desist from taking any part in the fighting in the Jammu and Kashmir State;
- (3) to deny to the invaders: (a) access to and use of its territory for operations against Kashmir; (b) military and other supplies: (c) all other kinds of aid that might tend to prolong the present struggle.

The reference to the Security Council is thus limited to the matters mentioned above. There is an urgency about these matters, for the first step that must be taken is to put a stop to the fighting and this can only be done if the invaders withdraw. It must be remembered that all the fighting has taken place on Indian Union territory and it is the inherent right of the Government of India to drive back any invaders on its territory. Till the Kashmir State is free of the invaders, no other matter can be considered.

The Government of India deeply regrets that this serious crisis has arisen. It is not of its seeking, and it has been thrust upon it by invading armies from outside who have committed acts of barbarism against the inhabitants of the Kashmir State and destroyed and burnt a large number of villages and some towns. No Government can tolerate such an invasion.



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In its desire, however, to avoid any act which might lead to further complications, it has shown the greatest forbearance and made repeated appeals to the Pakistan Government. Those appeals have been in vain, and hence it decided to refer this particular question to the Security Council. It has naturally reserved to itself freedom to take such action in self-defence as the situation may require.

The Foreign Minister of Pakistan, in a recent Press interview, has brought a large number of charges against the Government of India. I shall not go into these charges except to repudiate them utterly. What has happened during the past year is well known and we are prepared to stand the test of the closest scrutiny. Apparently all this variety of charges has been brought to cover up the Kashmir issue in a forest of other matters which have nothing to do with it.

It is completely untrue to say that the Government of India has tried to undo Partition or to strangle Pakistan. The mere fact of our agreeing to what everybody recognizes to be very generous financial terms is evidence of our desire to help Pakistan and to have friendly relations with it.

It is completely untrue that we have repudiated these financial agreements; we stand by them and shall honour them, but it is true that we have pointed out to Pakistan that we cannot make these payments at present when that money might be utilized for warlike operations against India.

The Kashmir issue stands by itself. If the methods of invasion of friendly territory by a barbarous foe are encouraged and submitted to, there is no future either for India or for Pakistan and therefore this has to be and will be resisted by us to the utmost, and the Kashmir State will have to be freed completely. Even from the narrowest viewpoint of self-interest, the Government of Pakistan should realize that the encouragement of such an invasion is perilous to its own future, because, once



the forces of unbridled violence are let loose, they endanger the whole security of any State.

It must be remembered that in Kashmir there is no communal issue as such. Large numbers of Kashmiris, Muslims, Hindus and Sikhs, are fighting the invaders. It is a national issue for them to preserve their freedom, and we have gone there to support them. We have pledged our honour to them and we shall stand by our pledge.

I would appeal to the Press for restraint in dealing with this issue at this critical stage and to avoid publishing unauthorized matter. We shall try to give full information to the Press whenever it is possible. The publication of unauthorized stories is likely to do harm to the State and to the cause we represent.

(Statement at a Press Conference, New Delhi, 2 January, 1948)



## CHAPTER 11

# PLEDGE TO KASHMIR

The Government's Decision in regard to the payment of the cash balances to Pakistan has been taken after the most careful thought and after consultation with Gandhiji. I should like to make it clear that this does not mean any change in our unanimous view about the strength and validity of the Government's position as set out in various statements made by distinguished colleagues of mine. Nor do we accept the facts or arguments advanced in the latest statement of the Finance Minister of Pakistan.

We have come to this decision in the hope that this generous gesture, in accord with India's high ideals and Gandhiji's noble standards, will convince the world of our earnest desire for peace and goodwill. We earnestly trust also that this will go a long way towards producing a situation which will induce Gandhiji to break his fast. That fast, of course, had nothing to do with this particular matter, and we have thought of it because of our desire to help in every way in easing the present tension.

Six months ago we witnessed a miracle in Calcutta where ill will changed overnight into goodwill, through the alchemy of a similar fast. The alchemist who worked this change was described by our Governor-General as the one-man boundary force which succeeded when the boundary force of 50,000 men in West Punjab did not succeed in keeping the peace. This unarmed knight of non-violence is functioning again. May the same alchemy work again in India and elsewhere.



We have sought to remove one major cause of dispute and argument between India and Pakistan and we hope that other problems will also be resolved. But let it be remembered that the people of Kashmir are suffering from a brutal and unprovoked invasion, and we have pledged ourselves to help them to gain their freedom. To that pledge we shall hold and we shall do our utmost to redeem it. We seek their freedom not for any gain to us, but to prevent the ravishing of a fair country and a peaceful people.

(Statement from New Delhi, 15 January, 1948)



## CHAPTER 12

# PEOPLE'S RULE IN THE STATE

Sir, I Crave your leave and the indulgence of the House to make a statement on Kashmir. I would beg the House to bear with me for a while, because there is a great deal to say, however briefly I might say it. But I am not going to make any sensational disclosures, for there is nothing very secret about what I am going to say and the facts have appeared in the Press and in other places frequently during the last few months. Nevertheless, it is right that I should place before the House some kind of a consecutive account of what has happened. In order to lessen my task and to help Members of the House, we have prepared a White Paper on Kashmir which will be distributed to members. This White Paper does not bring matters right up to date. It is practically up to the period of the reference to the Security Council. It is not an absolutely complete paper in the sense that every telegram and every letter is included, but, on the whole, most of the messages that passed between us and the Government of Pakistan and connected messages have been given in this White Paper.

It is in the context of changes in the States system that I would like this House to consider the particular case of Kashmir, although it stands apart and many other factors come into play. Today in India two States stand quite apart from the rest in regard to these processes. These States are Hyderabad and Kashmir. I am not going at this moment to say anything about Hyderabad. In regard to Kashmir, it stands apart for many reasons, partly because it has got entangled in external politics, that is to say, it has got entangled in the relations between India and Pakistan and so the two essentially State issues there



are somewhat submerged. It is an odd thing that it should get so entangled. That it got entangled is not odd, but the manner of its entanglement is odd, because the Government of Pakistan have assured us time and again that they have nothing to do with the recent events in Kashmir, raids and invasions. They go on repeating that; nevertheless, they seek to profit by those events. They seek political advantage out of those events, so that while disclaiming all responsibility for what has happened they do want to share in whatever they might get out of it. Anyhow, the Kashmir problem stands apart.

But if you consider the Kashmir problem leaving out this external implication for the moment, you will find it essentially to be, as in other States, a problem of the growth of the freedom of the people and the growth also of a new integration. Now, we have been aiming, the Government of India and the States Ministry, at the growth of this inner freedom of the people of all the States. If many of the States have agreed to merge with India or come into closer contact with her, it is not because the States Ministry took a big stick and threatened them with consequences, but because of the forces arising from the people, and fundamentally as a result of the sudden withdrawal of an external force which had kept the States together, or rather the States system together, the might of the British Government and the sanctions behind it. That disappearing, the structure immediately began to collapse and it is an astonishing thing, this sudden collapse of a structure which seemed so solid just a few months or a year ago, not surprising to those who knew the facts, but undoubtedly surprising to those people who take a superficial view of things. So essentially we have been aiming at the freedom of the people, knowing and realizing that ultimately it will be for the people of the States to decide what their future will be. We are not going to compel them. We do not propose to compel them, and indeed we cannot compel them in the context of the world today in any State. There are other compulsions, the compulsions of geography, for instance. One cannot ignore them. There are



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many other compulsions. And naturally in considering the problem, we, that is, the Government of India, have always to consider the interests of India as a whole, the interests of India in regard to security and defence. But apart from that, we do not wish to exercise any other compulsion in the slightest over the growth of freedom. In fact, we want to encourage it in the people of the State. We know well that if there is that growth of freedom and freedom of decision by the people of the States, then it will be a powerful factor in bringing them nearer to our people, because we hope that whatever constitution we may adopt in India, it will be based completely on the will of the people.

May I now say a few words before I go on to the Kashmir issue? That is this: in this matter I feel a slight difficulty, because the matter is being or going to be discussed again in the Security Council of the United Nations and I would not like to say anything which might be construed, shall I say, into putting difficulties in the way of coming to a settlement either in the Security Council or elsewhere. Indeed, we earnestly desire a settlement, we earnestly desire that these great forces should be allowed to function normally and to achieve their results; any other result will be an artificial result. We cannot impose a result—certainly Pakistan cannot impose a result. Ultimately there is no doubt in my mind that in Kashmir, as elsewhere, the people will decide finally, and all that we wish is that they should have freedom of decision without any external compulsion.

There is one other factor which I should like to put before the House in regard to Kashmir. We have become too used in India, unfortunately, to thinking of every problem or most problems in terms of communalism, of Hindu versus Muslim or Hindu and Sikh versus Muslim and so on. That has been an unfortunate legacy of ours, and the extent to which it took us cannot be forgotten by us nor the tragedies that it has led to. We are trying, I hope, to get rid of the spirit of communalism,



in India at least. We hope to put an end to it, not all at once perhaps, but certainly fairly rapidly.

Now, in this context of communal conflict the case of Kashmir stands apart, because Kashmir is not a case of communal conflict; it may be a case of political conflict, if you like; it may be a case of any other conflict, but it is essentially not a case of communal conflict. Therefore, this struggle in Kashmir, although it has brought great suffering in its train to the people of Kashmir and placed a burden on the Government of India and the people of India, nevertheless it stands out as a sign of hope that there we see a certain co-operation, combination and co-ordination of certain elements, Hindu and Muslim and Sikh and others on an equal level, and for a political fight for their own freedom. I wish to stress this because it is continually being said by our opponents and critics on the other side that this is a communal affair and that we are there to support the Hindus or the Sikh minorities as against the Muslim masses of Kashmir. Nothing can be more fantastically untrue. We could not for an instant send our armies and we would not be there if we were not supported by very large sections of the population, which means the Muslims of Kashmir. We would not have gone there in spite of the invitation of the Maharaja of Kashmir, if that invitation had not been backed by the representatives of the people of Kashmir and may I say to the House that in spite of our armies having functioned with great gallantry, even our armies could not have succeeded except with the help and co-operation of the people of Kashmir. Now, we are blamed by people outside, beyond the borders of India, for going to Kashmir to support an autocratic monarch. The House will remember that one of the conditions that we made at that critical moment, when we had to decide whether to send the Indian Army or not, whether to accept accession or not, one of the conditions was that there must be a popular government there, not as a goal and an ideal, but immediately. It was an immediate thing and it was given effect to immediately in so far as it could be given effect to. So it is strange that this charge should



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be brought against us. Look at this charge in another context. Those people, men and women of Kashmir, who are with us and who are fighting for their freedom and liberty there, they are not newcomers in the struggle for freedom; for the greater part of a generation, they have fought for the freedom of Kashmir, in Kashmir; they have suffered for it and some of us have deemed it a privilege to be associated with them in this fight for the freedom of Kashmir against autocratic rule. These people are with us today. Who are their opponents, who are against them in Kashmir or elsewhere? What has been their record in the past twenty years in regard to the freedom of Kashmir? It is an interesting speculation and an interesting inquiry, because these gentlemen who talk about the autocracy of the Ruler of Kashmir, who talk about autocracy there, what did they do during these last ten or twenty years? They never fought for the freedom of the people of Kashmir; most of them supported that autocracy; most of them opposed the freedom movement in Kashmir. Now, because of entirely different reasons, they have become the champions of the freedom of Kashmir. And what is the type of freedom they have brought into Kashmir today? The freedom so-called that they have brought into Kashmir is the licence to loot and murder and burn that lovely country and to abduct and carry away the beautiful women of the Jammu and Kashmir State; and not only carry them away, but place some of them in the open market-place for sale! So let us have this background before us when we consider the Kashmir story. It is a stirring background of events and many of us have been distressed at the strangely narrow view that people in the Security Council have taken on this matter. I do not desire to enter into the details of what happened or did not happen in the Security Council, but I do feel that this background must be appreciated. It is not a Hindu-Muslim question in Kashmir; it is not a question certainly of our standing for any autocracy or anything. We have already, during the last fifteen or twenty years, shown where we stand in regard to the States people and their Rulers. In regard to



Kashmir, more particularly, we have shown by our actions from the very first day we went there, from October last until today, how we feel about the freedom of Kashmir. I shall have something more to say about it before I finish.

Now, Sir, I shall go into some slight detail about the events in Kashmir.

The House will recall the statement I made on Kashmir on the 25th November, 1947. In that statement I recounted briefly the course of events in the Jammu and Kashmir State up to that day, the part played by the Government of Pakistan in these events, and our own objectives.

Our complaint against Pakistan was that it had incited and aided tribesmen from outside and its own nationals to wage war on the Jammu and Kashmir State. The month of December showed an intensification of military pressure on the State. Nearly 19,000 raiders had been reinforced in the Uri area and 15,000 raiders were operating against the western and south-western borders of the State. Incursions by the raiders into the State territory, involving murder, arson, loot and the abduction of women, were continuing. The booty was being collected and carried to tribal areas to serve as an inducement to the tribesmen to swell the ranks of the raiders. In addition to those actively participating in the raids, a large number of tribesmen and others, estimated at 100,000, had been collected in different places in the districts of West Punjab bordering upon the Jammu and Kashmir State, and many of them were receiving military training under Pakistan nationals, including officers of the Pakistan Army. They were being looked after in Pakistan territory, fed, clothed, armed and otherwise equipped and transported to the territory of the Jammu and Kashmir State with the help, direct and indirect, of Pakistan officials, both military and civil. The equipment of the invaders included modern weapons, such as mortars and medium machine-guns; the men wore the battledress of regular soldiers, fought in



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regular battle formation and used the tactics of modern warfare. Man-packed wireless sets were in regular use and even Mark 'V' mines were being employed.

More than once, the Government of India had asked the Pakistan Government to deny facilities to the invaders, facilities which constituted an act of aggression and hostility against India, but without any satisfactory response. On the 22nd December, I handed personally to the Prime Minister of Pakistan in New Delhi a letter in which the various forms of aid were briefly recited, and his Government were asked to put an end to such aid, promptly and without reservation.

As no reply to this letter was received for some days I sent a reminder by telegram on the 26th December. On the 31st December the Government of India instructed their Ambassador in Washington to convey a message to the Chairman of the Security Council of the United Nations. This message was a reference to the Security Council under Article 35 of the Charter of the United Nations. On that same day, the full text of the message was sent to the Prime Minister of Pakistan by telegram.

On the 1st January, I received a reply from the Prime Minister of Pakistan to my letter, dated 22nd December. The contents of this letter revealed no helpful approach to a solution of the Kashmir problem. They consisted only of a series of fantastic charges against India, e.g., a determination to crush Pakistan, organized genocide of Muslims in India, and the procurement of the accession of Kashmir by force and fraud. This letter, even if it had been received earlier, could not have modified our decision to request the Security Council of the United Nations to ask the Government of Pakistan:

(1) to prevent Pakistan Government personnel, military or civil, from participating in and assisting the invasion of the Jammu and Kashmir State:



(2) to call upon other Pakistan nationals to desist from taking part in the fighting in the Jammu and Kashmir State;

(3) to deny to the raiders (a) access to and use of its territory for operations against Kashmir; (b) military and other supplies; (c) all other kinds of aid that might tend to prolong the present struggle.

The House will remember the circumstances in which we had sent our forces to Kashmir. Kashmir State territory, which, after accession, was Indian Dominion territory, was being invaded to the accompaniment of murder, arson, loot and the abduction of women. The whole countryside was being ruined. Fresh raiders were continually coming from Pakistan territory into the Kashmir State. All the fighting was taking place in Indian Dominion territory. The invaders had their principal bases across the border in Pakistan, received supplies and reinforcements from them, and could go back there to rest and recuperate in safety. Our troops had strict orders not to enter Pakistan territory. The normal course to prevent raids on Indian territory would have been to deny the use of any bases to them in Pakistan. Since Pakistan was unwilling to co-operate with us in this manner, the alternatives left to us were to send our Armed Forces across Pakistan territory to deal effectively with the invaders, or to request the United Nations to ask Pakistan to do so. Any resort to the first course would have involved armed conflict with Pakistan. We were anxious to avoid this and to try every available method to find a peaceful solution. Therefore, the only course left open to us was to make a reference to the Security Council.

I shall not take up the time of the House with a detailed account of the proceedings of the Security Council; these have been fairly fully reported in the Press. I must confess that I have been surprised and distressed at the fact that the reference we made has not even been properly considered thus far and other matters have been given precedence. If the facts we stated



in our reference were correct, as we claim they were, then certain consequences naturally followed from them, both in law from the point of view of establishing peace and order.

On behalf of Pakistan, there was a repetition of the fantastic charges against India which had been made previously in the letter of the Prime Minister of Pakistan to which I have referred. Pakistan refused to act at once, to deny assistance in men and material to our enemies in Jammu and Kashmir, to prevent further incursions through Pakistan into the State, and to ask the tribesmen and Pakistanis now in the State to withdraw unless a previous agreement had been reached and announced to the effect that the Indian Armed Forces would be withdrawn completely from the Jammu and Kashmir State, and the administration of the State would be replaced by another administration. There were some other matters in dispute also but the principal ones were the two I have mentioned above.

In effect, Pakistan not only admitted that they were aiding the raiders but made it clear that they would continue to do so till certain political objectives of theirs were achieved by them. This was a proposal to which the Government of India could not agree. For such an agreement would have been a betrayal not only of the people of Kashmir to whom they had pledged their word, but also a surrender to methods of violence and aggression which would have had disastrous consequences both for India and Pakistan. It was impossible for us to withdraw our forces without grave danger to the State and without handing over the people of the State who trusted in us to an unscrupulous and cruel invader who had already brought so much misery to the State and its people. Nor could we share the responsibility of protecting the people of Kashmir with any other outside force. It was equally impossible for us to agree to the replacement of Sheikh Abdullah's administration by any other. The Government of Jammu and Kashmir is now no longer an autocratic government; it is a government representing the largest popular party in the State and is under a



leader who, during these many months of unparalleled stress, has sustained the morale of his people, maintained an effective administration over the greater part of the State, and, generally, has inspired effective resistance to the brutal attempts of the invaders to overrun and destroy Kashmir. There is no alternative administration possible in Kashmir, unless that administration rested on coercion. If Sheikh Abdullah was not there by the will of the people, he could not have survived, much less could he have accomplished what he has done during these difficult months. It is for him to choose any national of Kashmir to assist him in his Government and it would be improper for us to interfere with his discretion in this matter.

I regret greatly that the representative of Pakistan before the Security Council should have made many statements and charges against India which have no foundation in fact. A great deal has happened in India and Pakistan during the last six months or more which has brought shame on all of us and I am prepared to admit at any stage and at any time the errors of our own people, for I do not think that it is good for the individual or the nation to lapse from truth. That is the lesson our Master taught us and we shall hold on to it to the best of our ability. Many horrible things have happened in India and Pakistan during these past months and while we hold strong views as to the initial responsibility for all the frightfulness that has occurred, all of us, in a greater or lesser degree, have a certain responsibility for it. But so far as the events in Kashmir are concerned, I am convinced in my mind that every action that the Government of India has taken has been straight and above board and inevitable in the circumstances. Our going there at the end of October was thrust upon us by the course of events. Not to have rushed to the rescue of the people of Kashmir, when they were in dire peril, would have been an eternal disgrace, a gross betrayal and a deep injury. We feel deeply about this matter and it is not merely a question of political advantage or disadvantage. It has been and is a moral issue with us, apart from other aspects of the case, and because of this, at



every stage and at every step, I consulted Mahatma Gandhi and had his approval. In the confusion of a welter of charges and exaggerated statements, the basic facts are apt to be forgotten. I should like to know from anyone who studies our record in Kashmir since that fateful day when the raiders swooped down at Muzzafarabad and started their career of rapine and arson, what major step we took that was normally or otherwise wrong.

The role of the Indian Army in this conflict, which I repeat was not our own seeking, has been conspicuous for its discipline, impartiality, endurance and gallantry. They have extended their protection to every section of the people of the State. To suggest that they should be withdrawn before complete order is restored is to suggest something which is neither practicable nor reasonable and which is further a reflection on the exemplary record of our forces in Kashmir. We are in Kashmir and our forces are there because, legally, we are on unassailable ground. But even apart from law, the moral case of the Indian Union in Kashmir is equally unassailable. If we had not gone there and if our Armed Forces had not been rushed at great peril into Kashmir, that lovely country would now have been sacked, destroyed and ruined and its men and women who have been noted for ages past for their intelligence and their cultural traditions would have been crushed under the heel of a barbarian invader. No Government in India could tolerate such a happening so long as it had the strength to resist it with all its might, and if such a fate befell Kashmir, what freedom or security would we have in the rest of India?

We have only two objectives in the Jammu and Kashmir State; to ensure the freedom and the progress of the people there, and to prevent anything happening that might endanger the security of India. We have nothing else to gain from Kashmir, though Kashmir may profit much by our assistance. If those two objectives are assured to us, we are content.



Our making a reference on this issue to the Security Council of the United Nations was an act of faith, because we believe in the progressive realization of world order and a world government. In spite of many shocks, we have adhered to the ideals represented by the United Nations and its Charter. But those very ideals teach us also certain duties and responsibilities to our own people and to those who put their trust in us. To betray these people would be to betray the basic ideals for which the United Nations stand or should stand. Even at the moment of accession we went out of our way to make a unilateral declaration that we would abide by the will of the people of Kashmir as declared in a plebiscite or referendum. We insisted further that the Government of Kashmir must immediately become a popular government. We have adhered to that position throughout and we are prepared to have a plebiscite, with every protection for fair voting, and to abide by the decision of the people of Kashmir.

Our delegation has gone back to Lake Success after full discussions with us. They have gone back with a clear appreciation of the position of the Government of India and of Indian opinion and fortified with the knowledge that they have our full support. I should like to express my gratitude to Shri Gopalaswami Ayyangar and his colleagues for the ability and firmness with which they presented our case before the Security Council. Sheikh Abdullah has not gone back because his work lies with his people at this grave juncture. He has to assume a heavier responsibility. I feel confident that he will discharge this new responsibility with that strength and vision which have endeared him to Muslims, Hindus and Sikhs in Kashmir. His place in the delegation has been taken by Shri Girja Shankar Bajpai, Secretary-General of the Ministry of External Affairs, who has been a tower of strength to me during these difficult months.

I shall not say much about the military situation in Jammu and Kashmir. We have had our moments of anxiety but at no



time have I had any doubt about our capacity to meet the enemy and defeat him. Our officers and men are in high spirit, ready to meet any challenge. We have good reason to be proud of our officers and men, both of the Army and the Air Force. In particular, I should like to pay a tribute to Brigadier Usman, whose leadership and success have been in keeping with the highest traditions of India's Army.

The representative of Pakistan before the Security Council has brought in many charges against us which have little bearing on the Kashmir issue. He has talked of what he called our aggression in Junagadh and genocide and of much else. I do not wish to take up the time of the House in dealing with these matters. We wish to conceal nothing and if the Security Council desires an investigation we shall welcome it.

Now, I should like to inform the House that today the Maharaja of Kashmir is issuing a proclamation and I shall briefly place the contents of that proclamation before the House, or I might as well read the whole proclamation:

**PROCLAMATION OF HIS HIGHNESS MAHARAJA HARI  
SINGH INDAR MAHINDAR BAHADUR OF JAMMU  
AND KASHMIR, THIS FIFTH DAY OF MARCH, ONE  
THOUSAND NINE HUNDRED AND FORTY-EIGHT**

In accordance with the traditions of my dynasty I have, from time to time, provided for increasing association of my people with the administration of the State with the object of realizing the goal of full responsible government at as early a date as possible. In pursuance of that object I have, by the Jammu and Kashmir Constitution Act of 1896 (XIV of 1896), established a constitutional government with a Council of Ministers, a legislature with a majority of elected members and an independent judiciary;



I have noted with gratification and pride the progress so far made and the legitimate desire of my people for the immediate establishment of a fully democratic constitution based on adult franchise with a hereditary Ruler from my dynasty as the constitutional head of an executive responsible to the legislature;

I have already appointed the popular leader of my people, Sheikh Mohammed Abdullah, as the Head of the Emergency Administration;

It is now my desire to replace the Emergency Administration by a popular Interim Government and to provide for its powers, duties and functions, pending the framing of a fully democratic Constitution;

I accordingly HEREBY ORDAIN as follows:

1. My Council of Ministers shall consist of the Prime Minister and such other Ministers as may be appointed on the advice of the Prime Minister. I have by Royal Warrant appointed Sheikh Mohammed Abdullah as the Prime Minister with effect from the 1st day of March, 1948.

2. The Prime Minister and other Ministers shall function as a Cabinet and act on the principle of joint responsibility. A Dewan appointed by me shall also be a member of the Cabinet.

3. I take this opportunity of giving once again a solemn assurance that all sections of my people will have opportunities of service, both civil and military, solely on the basis of their merits and irrespective of creed or community.

4. My Council of Ministers shall take appropriate steps, as soon as the restoration of normal conditions has been completed, to convene a National Assembly based upon adult suffrage, having due regard to the principle that the number of



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representative from each voting area should, as far as practicable, be proportionate to the population of that area.

5. The constitution to be framed by the National Assembly shall provide adequate safeguards for the minorities and contain appropriate provisions guaranteeing freedom of conscience, freedom of speech and freedom of assembly.

6. The National Assembly shall, as soon as the work of framing the new constitution is completed, submit it through the Council of Ministers for my acceptance.

7. In conclusion I repeat the hope that the formation of a popular Interim Government and the inauguration, in the near future, of a fully democratic Constitution will ensure the contentment, happiness and the moral and material advancement of my beloved people.

I am placing this Proclamation on the table of the House. I should like to congratulate His Highness the Maharaja of Jammu and Kashmir on the decision that he has taken. But the burden now lies on Sheikh Abdullah and his colleagues and the people of Kashmir. I have no doubt as to how they will discharge their burden, because they are not newcomers and we have seen them functioning in the face of all manner of difficulties during the last few months. So I look forward with a certain measure of assurance to the future of Kashmir in spite of all difficulties.

I am, Sir, also placing a copy of the White Paper on the table of the House.

(From a Statement made in the Constituent Assembly (Legislative), New Delhi, 5 March, 1948)



## CHAPTER 13

### *INDIA HAS NOTHING TO CONCEAL*

I have seen in the Press reports of a statement said to have been made by the Prime Minister of Pakistan, Mr. Liaquat Ali Khan, on my letter to the President of the Security Council, dated 5th June, 1948. I do not propose to enter into the merits of Pakistan's charges against India of genocide and non-implementation of agreements with Pakistan or against the accession of Junagadh to India. Our views have been repeatedly stated before the Security Council and also in statements made by me and some of my colleagues. We regard the accusations of genocide and non-implementation of agreements as baseless. That we have protested against the Security Council's decision to include these charges within the scope of the functions of the Council's Commission is certainly not due, as alleged by the Prime Minister of Pakistan, to a desire to conceal anything. Because India has nothing to conceal there is no reason why India should acquiesce in an investigation by an outside body in something which, in our view, is outside the competence of that body and which has no foundation in fact.

The Prime Minister of Pakistan has also attributed India's decision to refer the Kashmir dispute to the Security Council to a desire to gain time in which to force a military decision. A reference to India's complaint to the Security Council will show that, contrary to what Mr. Liaquat Ali Khan has suggested, India has all along insisted on the urgency of action by the Council on her complaint against Pakistan. If such action has not been taken, the fault is not India's. In referring the Kashmir dispute to the Security Council, India never intended to sacrifice her freedom of military action to rid the State of



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Jammu and Kashmir of all invaders and to restore peace. She has both the right and the obligation to do so in respect of a State which has acceded to her. It is strange that Mr. Liaquat Ali Khan should complain of India's action in using her resources to achieve this legitimate and humane object.

Once more allegations have been made of atrocities by Indian troops against "defenceless old men, women and children in areas occupied by them." I most emphatically repudiate this unfounded charge. The purpose of these accusations, often repeated but without any vestige of truth, can only be to divert the attention of the world from the barbarous atrocities which the raiders whom Pakistan has so actively been aiding and abetting have been committing on innocent civilians, regardless of creed, sex or age, in the areas which they have occupied or into which they have penetrated. Such crimes against humanity can never be concealed. Baramula, Bhimbar, Mirpur and Rajauri, to cite only a few instances, will always proclaim the infamy of their cruel assailants.

Mr. Liaquat Ali Khan has complained of Indian troops violating Pakistan's frontiers and Indian airmen bombing villages well within Pakistan's boundaries. Every complaint of the violation by our troops of Pakistan's frontiers that could be investigated has been enquired into. Most of these complaints have, on enquiry, proved to be baseless. As is well known, the raiders, when forced to retire from State territory, often flee into Pakistan. Our troops chase them up to the frontier of the State; this is their duty as well as their right. As regards our airmen also, every complaint of Pakistan has been carefully investigated. In the particular case of Garhi Habibullah, which the Pakistan Prime Minister has quoted, a double investigation was made to establish the facts and the regret of the Government of India has already been communicated to the Government of Pakistan for the incident. The history of two World Wars shows how impossible it is to avoid damage to neutrals through bona



fide mistakes of observation. No aggression against Pakistan was intended.

Mr. Liaquat Ali Khan has referred to "the exemplary patience" shown by the Government of Pakistan "in the face of provocations". He has conveniently forgotten the continuous and continuing provocation to which the Government of India have been subjected ever since the invasion by tribesmen, last October, of the Valley of Kashmir, itself inspired by Pakistan, in the shape of every kind of aid given by Pakistan to the aggressor. More recently, Pakistan troops have been opposing Indian troops on the Uri front in strength. It is idle, in the circumstances, either to speak of the Pakistan Government's "anxiety to maintain peaceful and friendly relations with India" or to suggest that Indian action in Kashmir constitutes a "grave threat to the security of Pakistan" or a campaign of "murder and destruction" against the Muslims of Jammu and Kashmir.

Far from seeking to murder and destroy Muslims in the State, Indian forces have been used to protect them against the ruthless marauders whom Pakistan has let loose. An Interim Government, representative of the people, headed by a Muslim who has for years been the most outstanding leader of popular and progressive forces in Jammu and Kashmir, and composed of a majority of Muslims, has been formed in the State. On the question of accession, India has repeatedly affirmed that the freely declared will of the people of Jammu and Kashmir shall prevail. Though, short of a declaration of war, Pakistan has done everything to help the invaders of and the insurgents within the State, the Government of India have acted with unexampled restraint in the interests of peace. They will desire to live on the friendliest possible terms with the neighbour State of Pakistan. The fulfilment of that desire, however, is more likely to be defeated than achieved by the kind of statement which Mr. Liaquat Ali Khan is reported to have made yesterday.

(Statement from New Delhi, 10 June, 1948)



## CHAPTER 14

### **BELATED ADMISSION BY PAKISTAN**

**S**ir, I crave your leave to place certain papers on the table of the House and to make a statement thereon. These papers relate to the United Nations Commission on Kashmir which has been in India and in Pakistan for about two months now. The Honourable Members of the House must have read in this morning's papers some correspondence which has passed between this Commission and the Government of India, a resolution passed by the Commission some three weeks ago, the Government of India's reply thereto and some indication of Pakistan's reply. The full set of papers has not been published in the Press yet and, in fact, we received them only this morning by special courier from Karachi. No doubt these papers will be published in the newspapers. Meanwhile, I shall place on the table of the House some of these papers; and the rest I hope to place there in the course of the day, as soon as they are typed.

Now, the House knows that this Commission has been here for the last two months or more and the House will have seen from this published correspondence what their resolution was and our response to it. In fact they will have seen that we accepted certain conditions for a truce and cease-fire. Pakistan, however, has rejected them. Now, I do not wish at this stage to say very much more about this matter, partly because I should like to go through those papers more carefully than I have had time to do this morning when they came, and partly because the Commission is considering what further steps they may or may not take and it will not perhaps be quite proper for me to say anything which might embarrass the Commission.



As the House perhaps knows, it was the desire of the Commission that we postpone the publication of papers and any statements in this House till today. We have been anxious right from the beginning of these consultations with the Commission to take this House and the country into our confidence, because we wished to take no steps in such a vital and important matter without the full knowledge and consent of this House, but inevitably in the circumstances, it became difficult for us, much as we wanted to do so, to make statements in this House when the Commission was engaged in these delicate negotiations, and so at their request we had to postpone such publication from time to time. Ultimately, they issued their statement yesterday at 4 p.m. in Karachi. Now, although I do not wish to say much on this subject, there are certain facts to which I should like to draw the attention of the House. The facts themselves are very well known, not only in this House, but all over the country. Nevertheless, sometimes known and established facts are denied and it does make a difference when those facts are admitted.

The present story and tragedy of Kashmir began over ten months ago. Late in October last year there was an invasion of Kashmir by people coming across or from Pakistan territory, and the Government of India were faced with a very difficult problem, calling for a decision as difficult as any Government has had to make, and we had to make that decision within a few hours. We made that decision and since then we have followed that decision. It became clear to us then, and that act has become abundantly clear to all the world that wants to know it, that this invasion was not only encouraged and patronized but actively supported by the Pakistan Government. Later it became clear that apart from supporting others, there was active participation of the Pakistan Army in it. Now, throughout these ten months the Pakistan Government have denied that fact, they denied it aggressively, loudly and persistently. We stated it before the Security Council of the United Nations.



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In fact, we went to the Security Council with the very simple plea that the peace of Kashmir had been disturbed by these raiders coming across the Pakistan territory and we stated our case as moderately as possible, although we could have stated it much more forcefully. We said that it was inevitable that people coming from Pakistan could only come with the assistance and goodwill of Pakistan and, therefore, we requested the Security Council to ask Pakistan not to assist them and not to permit them to come in this way. It was, if I may say so, a very moderate request, couched in moderate language. Pakistan denied that fact and during the long discussions before the Security Council they not only went on denying it, but expressed a great deal of irritation and anger that anyone should have made such a charge against them. Well, I do not want to go into this long history of denial by them, but the point is that today, on their own admission, their denial was false. Now, that is an important matter.

It is important from the point of view not only of practical politics and the situation we have to face today, it is important also from the point of view of the standards of morality, good behaviour and decency that should subsist between nations. Now, I know very well that the standard of public morality and international morality is unfortunately not very high in this world. Nevertheless, certain appearances have to be kept up, certain decencies have to be maintained and some standards have to be observed. I do submit to this House and to the country that the story of these ten months and more and the way the Pakistan Government have reacted to all that has been said about them in the course of these ten months is so extraordinary as to be hardly creditable for a nation. Even till yesterday, as far as the world is concerned, even till 4 p.m. yesterday, there was no admission by Pakistan that they were participating in any way in those Kashmir operations. Of course, we knew. We have the most definite and positive evidence to that effect and ultimately you cannot hide large armies. Nevertheless, till 4 p.m. yesterday, when those papers were issued to the



public, there was no public admission. In fact, there was a continual denial in the course of the last few weeks, while this large Pakistan Army was active in Kashmir, battling with the Indian forces in Indian Union territory.

Please remember that all the fighting that has taken place in the last ten months has been in Kashmir, has been in Indian territory; there has been no fighting, there has been no incursion, there has been no Indian Army anywhere on Pakistan territory. That is a fundamental and basic fact, which apart from any other enquiry and any other facts would lead one to the conclusion that if any outsiders are fighting in Indian Union territory, those outsiders are the aggressors. Why are they there? During the last six weeks or so, again we pointed out in the most explicit language to the Pakistan Government and to the Prime Minister of Pakistan this presence of Pakistan troops in the Kashmir Stage.

Again, there was either a denial or an evasion of the issue. It was an extraordinary thing to me. I do not claim to be in any way different from others of my kind. My standards, I hope, are not lower than those of others. It has been a shock to me that any country, any responsible Minister of a Government should make statements which are patently and obviously false and try to mislead the world by that means. You will remember that before the Security Council at Lake Success, there were prolonged arguments on this issue. The Foreign Minister of the Pakistan Government, who was the chief delegate of their Government there, placed the case for Pakistan before the Security Council.

How does that case stand now? I would beg you and the country and the world to consider it, because the whole case rested on one basic assumption, the denial of Pakistan's complicity in Kashmir. They throughout denied that they had actively participated in it. If this claim is proved, as it is proved out of their very mouths today, to have been false, then what



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happens to that whole case so laboriously built up by the Pakistan Government before the Security Council? What happens to the charge that we brought against them which was never considered by the Security Council at all, much to our regret and amazement? So the fundamental thing for us to remember is this, that a fact which was denied for ten months and more has at last been publicly admitted by the Pakistan Government. They have, of course, admitted in their own way. I shall now read out some passage from their letter to the Commission. They say:

"India was steadily building its Armed Forces in Jammu and Kashmir. This building up process did not cease on the 21st April, 1948, but was continued and intensified. The Indian Army mounted a big offensive in the beginning of April, thereby causing a material change in the situation. This offensive action has continued ever since. The publicly declared intention of the Government of India was to secure a military decision in Jammu and Kashmir, thus presenting the United Nations Organization with a fait accompli. This situation not only put in jeopardy the entire population of the areas under the Azad Kashmir Government, and led to a big influx of refugees into Pakistan, but also constituted a direct threat of Pakistan's security. It was this which compelled the Government of Pakistan to move their troops into certain defensive positions."

Observe here, too, they do not say clearly that the defensive positions happened to be in another country.

Quite apart from their decision in regard to cease-fire and other proposals, the country which participates in aggression against a neighbouring country, may be in the name of defence or its own security, denies it for many months and then, in fact, when it finds that its guilt is proved, when it cannot hide it any more, then grudgingly admits it and gives some reason for it—how shall we consider the politics of that country from any international or national or moral point of view? Observe that,



according to this statement, they took this action in April last, four months or four and a half months ago. If they felt that their security was imperilled, or that something was happening which endangered them and that they had to send their troops, what then should they have done? Obviously, they should have informed the Government of India, and informed the United Nations Organization that this was happening and that there had been, as they say, a material change in the situation, and therefore they were compelled to take this or that action.

I cannot conceive of any country in the wide world which would not have done so. Quite apart from motives, this is the obvious and inevitable thing to do. They sent this army, according to them, in April last or thereabout and there is no intimation to us into whose territory they were coming, and there was no intimation to the United Nations Organization which was seized of this question, and was, as a matter of fact, then thinking of sending out a Commission to India. You will remember that in the very early stages of the Security Council's activities, an appeal was made to India and Pakistan in regard to these military operations and in regard to avoiding any situation arising between India and Pakistan. That appeal was repeated. In the few lines I have read to you from Pakistan's reply, they accused India of mounting an offensive. We are trying to push out the invader from Indian Union territory. It has been our declared policy, which we have repeated before the United Nations Security Council, which in fact was inevitable for us and would have been for any other country with any grain of self-respect.

On the other hand, what did the Pakistan Government do? We have, right from the beginning taken whatever step we have taken, in the limelight; there has been no hiding about it. The House has been greatly interested in this matter of Kashmir. The Indian public has taken the greatest interest in it and, rightly, the burden of it has fallen on our Government. It has been a heavy burden. I shall be frank and tell you why it has



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been heavy on me and more especially on my Government: not because military operations were involved, although that is always a burden, but rather it has been a burden since we wanted to be sure that at no time we acted against the principles we had so long proclaimed.

May I take the House into my confidence? In the early stages, towards the end of October and in November, and indeed subsequently, I was so exercised over Kashmir and if anything had happened or was likely to have happened to Kashmir, which, according to me, might have been disastrous for Kashmir, I would have been heart-broken. I was intensely interested, apart from the larger reasons which the Government have, for emotional and personal reasons; I do not want to hide this: I am interested in Kashmir. Nevertheless, I tried to keep down the personal and emotional aspect and consider it from the larger viewpoint of India's good and Kashmir's good. I tried to consider the question from the point of view of not straying or drifting from the high principles which we had proclaimed in the past.

When this question first came up, I sought guidance, as I often did in other matters, from Mahatmaji and I went to him repeatedly and put to him my difficulties. The House knows that that apostle of non-violence was not a suitable guide in military matters—and he said so—but he undoubtedly always was a guide on the moral issues. And so I put my difficulties and my Government's difficulties before him; and though it is not proper for me to drag in his name at this juncture in order to lessen my own responsibility or my Government's responsibility on this issue, which is complete, I nevertheless mention this matter merely to show how the moral aspect of this question has always troubled me. And more especially, when I saw in India all manner of things happening, which had happened in previous months and had brought India's name into disrepute, I was greatly troubled and worried and was anxious



that we should keep straight or as straight as we possibly could.

Now, this has been my attitude and on several occasions I had proclaimed it publicly. And apart from rhetoric and vague insinuations, I should like to know from anybody, friend or enemy, from that day in the last week of October when we took the fateful decision to send our troops by air to Kashmir till today, what it is we have done in Kashmir which from any point of view and from any standard is wrong.

I want an answer to that question. Individuals may have erred here and there; but I say that the Government of India and the Indian Army as a whole have done something which was inevitable, and each step that we have taken has been an inevitable step which, if we had not taken it, would have brought disgrace to us. That is how I have ventured to look at this question of Kashmir. And when I find that on the other side the whole case that has been built up on what I venture to say—using strong language—is falsehood and deceit, am I wrong? That is what I ask this House and the country and the world to consider.

Now, therefore, this is the first fact to remember: that all this case built up by Pakistan before the Security Council crumbles by this admission of theirs and by the proven fact that large armies of theirs are active in Kashmir, and no doubt similar armies—if you like—and others connected with them have operated in Kashmir on Indian Union territory during these ten months or so. Every subsequent proceeding should be viewed from that aspect.

Now, we come to the present, and I must add one more thing. This has been an aggression; and if it is called—as according to their own admission it must be called—an aggression, then certain consequences ought to follow. Now, my difficulty has been that in considering any question if you lose



yourself in a forest of intricate detail sometimes you lose sight of the wood for the trees. There have been long discussions over the Kashmir issue and every aspect and phase and the past and present history have been considered. But what has been the major point? I repeat that, because I think the fundamental factor is the aggression of Pakistan on Indian Union territory; secondly, the denial of the fact of that aggression; thirdly, the present admission of the fact. These are the governing factors of that situation. And the argument has gone on for so long, because these governing factors were slurred over and were not emphasized. We emphasized them, of course, and the problem was discussed in intricate detail.

Now, if you start from a wrong premise in an argument, obviously your whole argument goes wrong and you land yourself in difficulties. If you try to solve a problem without analyzing or stating the nature of the problem, how are you to solve it? And that has been the fundamental difficulty in this Kashmir business: the fundamental issue has been slurred over and bypassed and passed over. Therefore, we have been dealing with other matters which cannot yield a solution. Now, the basic factor is revealed by the very admission of the Pakistan Government.

Now, coming to this proposal of the United Nations Commission in India in regard to cease-fire and truce, etc., I shall not discuss it much, because I do not wish at this moment to say anything which might embarrass the Commission. But certain papers are before you. I need hardly say that the proposal they made was not welcomed by us with joy and enthusiasm; there were many matters in it which went against the grain. But we tried to look at the matter as coolly and dispassionately as possible with a view to establishing peace in the harried State of Kashmir, and avoiding needless suffering and shedding of blood; and we agreed to that cease-fire proposal after the Commission had been good enough to elucidate certain points which we had placed before them. We did not place too many



points before them but only certain simple obvious points relating to the security of Kashmir. We placed these before them and they were good enough to tell us that that was their meaning. Thereupon we accepted the cease-fire proposal, accepted many things in it which we did not like, because we felt that both in the interest of peace and of international order, it was a good thing for us to go a few steps forward even though some of the steps might be unwilling ones. We did so in order to bring about this peace and to show that we were prepared to go as far as possible to meet the wishes of an international organization like the United Nations. The original proposal of the United Nations was given to us on the 14th August. The 15th was our Independence Day. Immediately after, on the 16th, we met the members of the Commission and discussed the matter with them to find out exactly what they meant and told them exactly what we meant; and within four days, i.e., on the 20th August we sent them our reply. We did not want to delay matters as they were anxious that they should not be delayed.

The Pakistan Government had also received these proposals at the same time, on the 14th August, at 3 or 4 p.m. They also had the same amount of time. But even after the return of the Commission to Pakistan—and some members of the Commission went in between to Karachi—they were not ready with their reply. And, in fact, it was by the pressure of events or the pressure of the Commission that ultimately they gave some kind of a reply yesterday. Meanwhile, they sent long letters seeking elucidation. I am sorry I have not yet read the reply wholly because I received it just a little before coming here. But I have read the significant parts of it, and in effect it is a rejection of those proposals.

Now, the Commission told us that these proposals stood as a whole and while they were prepared to discuss any matter gladly it was difficult—in fact, it was not possible for them to accept conditional acceptance, because if we made some conditions and Pakistan naturally made other conditions, what exact-



ly was accepted and by whom? So they said that these proposals were to be accepted as they were, and if there were conditions attached to them, it was not acceptance but a rejection. Now, therefore, what the Pakistan Government have done is tantamount to rejection. It is for the Commission to decide and to say what they are going to do. It is nor for me to advise them. So we arrive at a curious state of affairs, that the country which was the aggressor nation according to its own showing, now even rejects and refuses a proposal for a cease-fire, or puts forward conditions which are tantamount to such a refusal.

Now, certain international consequences should follow from all this. What consequences follow? In a somewhat narrow sphere all those officers and individuals who are participating in this aggressive war against India in Kashmir territory—there are, of course, Pakistani nationals and others there too—are participating not only in an aggressive war, but in a war after the refusal of a United Nations Commission proposal for a cease-fire. Their position is worthy of consideration.

That is all that I wish to say on the Kashmir issue. Naturally the story of Kashmir goes on. It has been a saga during these ten months or so, and there has been a great deal of suffering and blood and tears involved in it. There have been high moments also. But for us in India, and for the Government of India, it has been a period of trial and difficulty from many points of view; still, at no time have we considered that we were wrong or that we had taken a step which we could not fully justify. It is in that faith that we are going to continue, and may I say that in all these consultations with the United Nations Commission and in other matters affecting Kashmir, we have kept in close touch with the Kashmir Government under Sheikh Abdullah and consulted him in all the steps that we have taken? That was natural and it is inevitable in the circumstances that we should march together in full consultation with each other. Proceeding on that basis, we shall go ahead,



whether in the military sphere or in other spheres, and I am quite convinced that if we adhere to the right course and do not stray from it, even from the opportunist point of view of some present advantage, we shall win through, and any country that bases its case on an essential falsehood cannot gain its ends.

(Speech in the Constituent Assembly (Legislative), New Delhi,  
7 September, 1948)



## CHAPTER 15

# OUR PLEDGE TO KASHMIR

I must express my gratitude to the many hon. Members who, in the course of this debate, have spoken generously about the policy that the Government has pursued in regard to the State of Jammu and Kashmir. While we have had an abundance of generous acknowledgement of our policy, we have had criticism also. I welcome the latter, because it is always helpful in understanding a particular position. In this very difficult and delicate matter, criticism will be especially helpful, because the more aspects we examine the more light will be thrown upon the problem.

We have dealt with this matter for nearly five years now. We have fought on the battlefield for over a year and many of our brave young men have gone to Kashmir and remained there. We have fought this fight in many a Chancellery of the World and in the United Nations; but above all, we have fought this fight in human hearts—the hearts of the men and women of the State of Jammu and Kashmir. With all deference to this Parliament, I would like to say that the ultimate decision will be made in the minds and hearts of the men and women of Kashmir and not in this Parliament or at the United Nations. We have dealt with the problem of Kashmir in a variety of ways in various fields of action. We have not, however, solved it, although we have made progress in a particular direction. I want to be perfectly frank with this House and promise no speedy solution. Why should I make promises which I might not be able to keep? And may I remind this House that there are numerous problems today, big problems, affecting the world's future which remain unsolved, which drag on from



month to month and year to year without solution? One has to be thankful if these problems do not grow worse. That itself is supposed to be a great mercy and a blessing. It is all very well for people in foreign countries to say, 'Why don't you solve this question of Kashmir? It may lead to big things, perhaps, to a world conflict.' Many people in foreign countries are generous with their advice. One feels tempted to tell them that they also have vital problems to solve, whether it is in the Far East or in Europe or elsewhere and that their problems also somehow drag on from year to year. Why do they not find a solution to these before offering advice to us? How is it that we are at fault because we cannot solve the question of Kashmir while they, who censure us, are above reproach, though they fail to solve their problems? Nor only do their problem remain unsolved but preparations are also made to create problems for the future. Anyhow, this would be a cheap reply for us to make to them, because we are all in difficulties; we are all struggling against things which, perhaps are not entirely within the control of any one country or any one people.

I should like this House to continue to consider this problem as it has been considered in the past, that is, in all its aspects, forgetting for the moment the minor things, the lawyer's points if I may so call them with all respect to lawyers. The latter certainly have their place, provided they keep it. My honourable friend, Dr. Mookerjee, has said a great deal about this clause and that clause. If I have the time I shall deal with the points he has raised but it is of little importance what this clause or that clause says. What is important is the way you approach the problem and its fundamental basis. It is also important what your objective really is and how you propose to gain it. If it is your objective—as I shall claim it should be, for there can be no other—that this problem must be decided by the people of Kashmir, then you must adopt a policy by which that end can be gained. Why issue threats? Why talk to them and tell them they must do this or must not do that? I am called a Kashmiri in the sense that ten generations ago my



people came down from Kashmir to India. That is not the bond I have in mind when I think of Kashmir but other bonds which have tied us much closer. These bonds have grown much more in the last five years or so when I talk of my ties with Kashmir, I am only a symbol of the vast number of people in India who have been bound together with Kashmir in these five years of conflict against a common adversary. First of all, let me say clearly that we accept the basic proposition that the future of Kashmir is going to be decided finally by the goodwill and pleasure of her people. The goodwill and pleasure of this Parliament is of no importance in this matter, not because this Parliament does not have the strength to decide the question of Kashmir but because any kind of imposition would be against the principles that the Parliament upholds.

Having come to the conclusion that the future of Jammu and Kashmir State can ultimately be decided only by the people of Jammu and Kashmir, let us fashion our other policies accordingly and let us not find fault with every little thing because it does not fit in with our wishes. Many things have happened in Jammu and Kashmir which I do not approve of; but there it is. I have no doubt many things have happened and will happen that neither my honourable friend on the Opposite side of the House nor I will approve of, just as many things happen in the rest of India that I do not approve of. I do not control everything that happens in India. But what is our approach going to be? Whatever it is, we must not do anything which will counter it or undermine it or uproot it and which will encourage the hands of those who are apposed to us—our enemies. That is the basic thing which we must understand. Let us be clear about it. You can criticize Sheikh Abdullah. Sheikh Abdullah is no god. He commits many errors and will commit many more. He is a brave man and a great leader of his people. That is a big enough thing. He has led his people through weal and woe and he has led them when they were facing grave disaster. He did not shrink from leadership at that time—that is a big enough thing to be said about any man. If he has failings, if



he has made a mistake here and there, if he has delivered a speech which we do not like, what of that? Bigness is bigness in spite of a hundred mistakes. And in any case, the question is not whether we like Sheikh Abdullah or not. It is a bigger matter than any individual.

The question of Kashmir, as this House well knows, certainly has not been for us a question of territory. Financially, we gain nothing from it. On the contrary, it may cost us a good deal until the State ultimately develops; and it is bound to develop because it is rich in resources. Nevertheless, we have not cast covetous eyes upon Kashmir or hoped for any gain. We have cast eyes on Kashmir because of old bonds, because of old sentiments and new sentiments also. Kashmir is very close to our minds and hearts and if by some decree or adverse fortune Kashmir ceases to be a part of India, it will be a wrench and a pain and torment of us. If, however, the people of Kashmir do not wish to remain with us, let them go by all means; we will not keep them against their will, however painful it may be to us. That is the policy that India will pursue and it is precisely because India stands for such a policy that people will not leave her. People will cleave to her and come to her. Our strongest bonds with Kashmir are not those that are retained by our Army or even by our Constitution to which so much reference has been made but those of love and affection and understanding and they are stranger than the Constitution or laws or armies.

Many of the arguments that some hon. Members of the Opposition have advanced seem to me to be inapplicable. It is easy to criticize many things that have happened in Kashmir. It is natural that one should want to better certain things but that is a different matter altogether. The question is whether in doing so you are coming nearer your aim or being an obstacle in the way of your very objective. The hon. Member who spoke last is a representative—much more so than I am—of a minority community of Srinagar, the Kashmiri pandits. He gave



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you a graphic account of the days when everybody in the Valley of Kashmir—Muslim or Hindu but more especially the Hindus and the Sikhs—lived in terror of what the morrow might bring. Nobody knew what would happen or, perhaps, they knew too well. The people of Kashmir, especially the women of Kashmir, have a great reputation outside Kashmir also. The women of Kashmir, both Hindu and Muslim, were taken away in considerable number by the raiders and others, sometimes as far as Afghanistan and even beyond. There are case where these women were sold for a mere pittance. Hon. Members should try to understand how these stories and these accounts must have affected the people of Kashmir, how they must have lived in fear lest their own mothers, sisters and wives should suffer a similar fate on the morrow. It must be recognized that the people of Kashmir have lived through fire and have faced it; they did not run away from it.

Looking back at these five years, I think that the people of Kashmir, the people of India and, if I may say so with all humility, the Government of India have stuck to the right path in spite of numerous small mistakes that they may have made. We have pursued the policy we considered right even when it appeared most inopportune; sometimes our attitude displeased certain people; sometimes a little swerving to the right or to the left would have gained us an advantage in foreign countries—and foreign countries had begun to count for us. It did not matter much what we thought of them; but there they were, sitting in the Security Council and talking a great deal. Sometimes they talked sense; at others they did not. We had to put up with their attempts to judge us and to judge something which was so important to us. Kashmir was not important to us because of any territorial designs on our part as somebody suggested but for the other reasons that I have mentioned. People in other countries thought of Kashmir merely as a geographical unit. It was only a plaything for them while it was very much in our hearts. Our history and our circumstances has made Kashmir so closely associated with our feelings, emotions,



thoughts and passions that it was a part of our beings. Certain foreign countries tried to deal with the Kashmir question in a casual way and talked of India's Imperialism and her territorial designs. We restrained ourselves but very often there was anger in our hearts—anger at this intolerant criticism, at the presumptuous way in which people talked to us, to this great country of India. They had the audacity to talk of imperialism to us when they were imperialists themselves and were carrying on their own wars and themselves preparing for future wars. Just because India tried to protect Kashmir from territorial invasion, people had the temerity to talk of India's imperialism!

Well, as I said, we restrained ourselves and we shall still endeavour to restrain ourselves in future but restraint does not mean weakness. It does not mean giving in. We were firm and convinced of the rightness of our position because, as I said—and I said it in all honesty—I have searched my heart and looked into every single step I have taken in the matter of Kashmir but cannot find that any of the major steps we have taken has been wrong. Although it is my Government that is ultimately responsible for the part India has played, I have been personally concerned with every single step taken during the last five years. Of course, in retrospect, there are things that I could have done differently—some minor things—but I do not see how any major step we have taken could have been taken in a way other than in which it was done. When we sent our young men flying over the mountains to Kashmir at the end of October 1947, there may have been a miscalculation; but it was fundamentally a right step demanded by circumstances. We may have erred sometimes because we were anxious to preserve peace and to avoid war at all costs; but I would always like to err in that way. For people to accuse us of avarice or covetousness, of imperialism, of breaking our word and pledge, is grossly unfair. I have said before and I repeat that every single step we have taken has had conviction behind it, every single word or pledge we have given to the United Na-



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tions or to the United Nations Commission or to anybody else who has come here has been kept to the letter and every single assurance has been carried out. All this is much more than can be said for Pakistan in this matter, because the entire Kashmir business is based on a fundamental lie—the lie Pakistan has told in denying that she invaded Kashmir. If Pakistan wants Kashmir, let her go there and fight. But why lie about it? The armies of Pakistan were in Kashmir for six months and then they denied the whole thing. When you base a case on a lie, the lie has to be repeated; and it was repeated in the Security Council month after month. Their armies were still in Kashmir and their Foreign Minister went on saying that they were not there. That was an astonishing thing. When the United Nations Commission was here and was on the point of going to the front and when there was no possibility of concealing this fact any longer, they admitted it. They had to admit it and a statement was submitted by the Commander-in-Chief of the Pakistan army who was a well-known British Officer. The statement was to the effect that he had been compelled, in the interests of protecting Pakistan, to send his armies—the Pakistan armies—into Kashmir. He was afraid that India was going to invade Pakistan across Kashmir from somewhere in Central Asia!

That was the beginning of the extraordinary story of Kashmir and it is as well that it is repeated again and again, because people are apt to forget it. This matter has become international and is talked about in the various capitals of the world. This simple story, these simple facts of invasion, of brigandage, loot and arson are forgotten and passed over casually while other discussions take place. It has been an amazing education for many of use these five years: education in world politics, education in how nations can behave, education in how great countries get distorted visions and cannot see straight in the simplest matter when it so suits them. Perhaps, I am talking a little beyond my present brief. To come back to the future of Kashmir, I want to stress that it is only the people of Kashmir who can decide the future of Kashmir. It is not that



we have merely said that to the United Nations and to the people of Kashmir; it is our conviction and one that is borne out by the policy we have pursued, not only in Kashmir but everywhere. Though these five years have meant a lot of trouble and expense and in spite of all we have done, we would willingly leave Kashmir if it was made clear to us that the people of Kashmir wanted us to go. However sad we may feel about leaving, we are not going to stay against the wishes of the people. We are not going to impose ourselves on them at the point of the bayonet.

Of course, this does not mean that we are prepared to do what we consider wrong if the people of Kashmir should desire it. If they want us to do something wrong in Kashmir, we shall refuse to do it. We may even say, 'We would rather not have any association with Kashmir than have the wrong kind of association.' That is certainly conceivable. Nobody can force on us an association we do not want just as we cannot remain in Kashmir against the will of the people. An association is a matter of mutual understanding and affection, it is a voluntary union of parties who wish to have ties with each other. In our desire to gain the goodwill of the people of Kashmir, we cannot afford to provoke the ill-will of our own people. We are not considering this matter as a bargain or as a matter between strangers. We are almost a part of each other and are considering a difficult and delicate problem together as partners in order to try and find a way out. The way out may not be completely logical; it may not be completely reasonable from the point of view of this law or that constitution; but if it is effective, then it is a good way out.

I should like to say one more thing in this connection although it is, perhaps, not to the point. I am afraid of saying it because there are so many lawyers here. When the British left, there was a good deal of misunderstanding about the situation that was created in India by the partition and because of the statement about the Indian States issued by the United



Kingdom. I shall venture to put forward my own view, functioning, for the moment, as a jurist and a constitutional lawyer. The partition took away a certain part of India with our consent; but the rest of India, including the States, remained as a continuing entity. Till something happened to separate the States from India they were a part of India. We were not created by partition as Pakistan was. India was, India remained, India is, India will be. So, every State, till it arrived at a decision to the contrary, would continue to have the old relationship with India.

By the removal of the British power from India in 1947, we were, to some extent, thrown back to the days when the British first came. That is an interesting and good parallel to pursue in other ways, too; but I shall not pursue it, because it may lead to controversial matters. When the British power established itself in India, it became evident that no other power in India could remain independent. Of course, these powers could remain semi-independent or as protectorates or in some other subordinate capacity. Accordingly, the Princely States were gradually brought under the domain and suzerainty of the British power. Similarly, when the British left India, it was just as impossible for old bits of Indian territory to remain independent as it has been during their regime. At that time Pakistan was, of course, out of the picture. For the rest, it was inevitable that the princes and others, whoever they might be and whether they wanted it or not, must acknowledge the suzerainty of the sovereign domain of the Republic of India. Therefore, the fact that Kashmir did not immediately decide whether to accede to Pakistan or to India did not make Kashmir independent for the intervening period. Since she was not independent, it was our responsibility as the continuing entity to see that Kashmir's Interests were protected. I wish to say this, because it was undeniably our duty to come to Kashmir's aid, irrespective of whether she had acceded to India or not. On account of the continuing entity, India's responsibility to all the other States remained un-



changed except in the case of those that had definitely and deliberately parted company.

The word 'monarchy' has been used a good deal. I do not understand in what sense it was used. We have no monarchs in India. I understand the meaning of the word 'monarchy' but it does not apply in the present case. I do not know why such words should be employed unless the aim is to delude us. There are some persons who, by the generosity of our States Ministry, are still called 'rulers'. I do not know why, because they rule nobody. Our States Ministry in the last three or four years has been known for its generosity and I am afraid we shall suffer for that generosity for a long time to come.

There is no monarchy in India. In certain places there are princely families who have unnecessarily large endowments. They hope to live on these endowments for generations to come. There are also a few Rajpramukhs. At the moment, we have three States that are headed by Rajpramukhs; in some instances, there are groups of States and one of the ex-rulers has been chosen to be Rajpramukh for life.

Some of the Rajpramukhs are, undoubtedly excellent people; others are not quite so excellent. It is true that the idea of giving tenure to a person in a responsible office for life is not entirely in keeping with modern thought. One must remember the particular context of events and not be too critical of what was done. When this step was taken, hundreds and hundreds of States had to be absorbed into India within a few weeks. At that time, a number of princes might well have given a lot of trouble; in fact, some were on the point of giving major trouble. Some did give trouble secretly. When our other troubles came, some of these princes and their families and cousins and uncles did a lot of harm and injury by giving money and guns to gangs of rowdies to go about creating mischief.



That was the position: there were hundreds and hundreds of independent States in India, which were uncertain of their future, afraid of their own people, afraid of the Government of India and left in the lurch by the protecting hand of the British power. We could have decided many things at that time. We could have decided, if you like, to remove them completely from the scene or to come to terms with them and buy immediate peace in a moment of grave peril to the country. It is very well for us to be wise after the event but I think Sardar Patel acted very wisely. There was great danger that India might go to pieces under the stress and strain of the passions raised by the partition, the huge killings all over the country and the communal atrocities. The reactionary jagirdari and feudal elements threw themselves into the picture just to create trouble and disrumpment and in the hope that they could enlarge their domain in the general confusion. It was foolish of them to hope that; nevertheless, that is how their minds worked. In such circumstances, one had to take a decision. Chiefly Sardar Patel and partly all of us arrived at the decision that it was better to consolidate India rapidly, even though it cost a great deal of money, than to let wasteful fratricidal warfare and disturbances continue. Apart from other things, even from the point of view of cost, the latter would prove to be more costly in the long run, besides leaving a trail of bitterness. Therefore, we made certain rapid settlements which, financially or otherwise, were hardly fair; but this was the price we had decided to pay for the quick settlement of a very difficult and vital problem.

I shall not go into the details of how we propose to deal with these matters in future. Obviously, such matters will have to be dealt with in a friendly spirit because what happens in one place undoubtedly has its reactions and repercussions in another. What is happening or is likely to happen in Kashmir is bound to have its reactions elsewhere.

The honourable Dr. Mookerjee also referred to Article 352. He said a great deal about it and asked me whether certain



other articles dealing with financial chaos or emergency and with the breaking down of the Constitution would be applied in this case. I shall answer him. At present, we are into applying those articles. We have not even put them forward for consideration. I would beg the House to remember that we have to proceed on the basis laid down by that stout builder of our nation, Sardar Patel. At the time our new Constitution was being finalized, the question of Kashmir came up and was dealt with in Article 370 of the Constitution. I would ask the hon. Member to read Article 370, because if he discusses this question now, he must do so on the basis of the Article which had been agreed upon and which is a part of the Constitution we have given ourselves.

It is true, as has been pointed out, that the Article in question was not a final and absolute provision. That Article itself was a transitional one. But it laid down the method of decision in the future. It laid down the mode of procedure and prescribed the manner in which additions could be made to the subjects. Altogether, there were two classes of subjects. One related to the three major subjects or rather to the three categories of subjects, namely, defence, communications and foreign affairs. If any change was to be made in the interpretations of these, the President was to do it in consultation with the Kashmir Government or the Constituent Assembly of Kashmir. In regard to the other subject, the words used are "with the concurrence of" and not "in consultations with".

Why, then, should anybody complain that we are going outside the Constitution, that we or the people or the Government of Kashmir are committing a breach of the Constitution? It may well be that the Government of Kashmir will ask us to do something which we do not consider proper. In that case, it only remains for us to talk to each other and find a way which both consider proper. If we fail to arrive at an agreement, then, of course, that thing cannot be done and the consequences have to be faced. The consequences may not be agreeable to them or



to us but there is no other way. There is no question—as some of the amendments of hon. Members seem to imply—of our issuing some kind of decree or sending a compulsory order. I do submit that we have approached this matter and we shall always approach this matter in a spirit of friendship because we have to remember that there are many aspects to this question, both external and internal. The internal aspect is at present the responsibility of the Kashmir Government. The activities in that part of Kashmir which is called 'Azad' Kashmir—wrongly so, since it is under Pakistan—have an effect on other countries. Foreign countries naturally have an effect on India and so on. There are so many aspects to the problem that you just cannot look at it from your own point of view only. It may be that the people of Kashmir have a particular aspect in view which you have not considered. It is possible that you may be convinced if you consider it. Dr. Mookerjee complained that he was not consulted about certain things. Surely, Dr. Mookerjee will not expect Sheikh Abdullah or a member of this Government, in the course of important talks, to be constantly consulting others. It is impossible; it cannot be done. Apart from those who had a particular commission in connection with this matter, even the members of my Cabinet were consulted only after the talks were over. Sheikh Abdullah was anxious to meet the Members of the Opposition. He did not have the advantage of meeting Dr. Mookerjee but he did meet his colleague, Mr. Chatterjee, and he had a two-hour talk with him. I was not present at the talk but Mr. Chatterjee was good enough to write to me and inform me that he had been influenced by what Sheikh Abdullah had told him. He further said that he now realized that there were many aspects which had not been put before him earlier.

I should like to refer to Article 352 which deals with the proclamation of emergency. It reads as follows: "If the President is satisfied that a grave emergency exists whereby the security of India or of a part of the territory thereof is threatened, whether by war or external aggression or internal



disturbance, he may, by Proclamation make a declaration to the effect....."

In a sense, the President can do all manner of things, including taking charge of the whole State. What we suggested and agreed upon in these talks was that where there was a reference to internal disturbances, this action should be taken with the concurrence of the Government concerned and that such concurrence was not necessary in the case of aggression or war. Undoubtedly, that is a variation in favour of that Government and hon. Members are entitled to criticize it. Will hon. Members kindly recall the basis from which we started? We start from Article 370 for the present moment. Article 370 rules out Article 352 and all the other articles. That is to say, at the present moment, keeping strictly to the Constitution as it is applicable to Kashmir State, none of these provisions apply. So that, all we have said in regard to the Supreme Court or to the President's other powers, is new and must be included in the Constitution of Kashmir. The supremacy of the President or this Parliament or Supreme Court only applies to Kashmir to the extent to which they accept it. It is not as though we were giving away something. We have very specifically laid down this very important provision of the Constitution, that the President can take charge of the whole State itself under a grave emergency. This should apply to the State of Jammu and Kashmir except in the case of internal disturbance, when the concurrence of the Government of Kashmir is necessary. This seems very odd and some people say, 'How can you ask or wait for their concurrence?' It is not really such an odd provision; because when the whole State is in a chaos, then nobody wait for anybody's concurrence and the necessary steps are taken. The particular phraseology of the Article is taken from the American Constitution, where the Federal Government can take charge of the State in an emergency with the concurrence of the State Government. Undoubtedly, it is open to hon. Members to criticize this; but there is nothing very odd or very special



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about it and, in the circumstances, we felt that it was better for us to accept this form rather than none.

The fact that we have been considering these provisions, whether they are emergency provisions or they concern the President's special powers or Parliament's power in a certain domain or the Supreme Court, is surely an indication as to where sovereignty lies. I am, perhaps, being rash; but I am talking about the Constitution and legal matters. Obviously, in a federal constitution, federal sovereignty is divided between the Federal Centre and the States. In a moment of crisis, however, sovereignty may vest with the Federation or Centre. I see that the Law Minister apparently does not agree. I am not quite sure but whatever the case, it is a small matter. Whether sovereignty is to be divided or not in a Federation is an old argument.

I started with the presumption that it is for the people of Kashmir to decide their own future. We will not compel them. In that sense, the people of Kashmir are sovereign. They are not sovereign in the sense that they cannot accept the Constitution and then break it. They cannot enter into a partnership with us and accept that part of our Constitution over which we are sovereign and then try to evade it. But they are sovereign in the sense that they may accept the whole or reject the whole; or they may come to an agreement with us on particular matters that they do not want to accept along with our Constitution.

I have taken a lot of time and I hope the House will forgive me for it. In a few days, my colleague, Mr. Gopalaswamy Ayyangar, will be leaving for Geneva. I will not be very truthful if I say that I expect great things to happen; but we have to carry on with the rough and the smooth of it and not run away from it. Our good wishes go with him but, above all, our good wishes should go to the people of Jammu and Kashmir State, who have become the plaything of international politics and even of our debates.

(Speech in Lok Sabha)



## CHAPTER 16

### *LET THE PEOPLE DECIDE*

**T**he house will remember that a few days ago I made a fairly lengthy statement in this House about the affairs of Jammu and Kashmir State. I do not propose to weary the House by a repetition of what I said then. But at this stage, I should like to emphasize certain aspects of this problem.

For the last five years nearly, the Kashmir problem has been one of the heaviest burdens that the Government has had to carry. It has been a heavy burden because it was a complicated affair and one in which our saying 'aye' or 'nay' was not quite enough. Other factors were involved. There are many things in this world which we would like to change but we cannot shape the world to our will. We live, as the House well knows, on the eve of what appears to be a tragedy in the world and we try—when I say 'we' I do not mean we in this House but people all over the world—to avert the tragedy and somehow to assure peace for this world. But nobody can control events completely. Of course, one tries to mould them to certain extent, tries to affect them in some way; but what the ultimate resultant of the various forces and passions and prejudices at work is likely to be, no man knows. The misfortune of the state of Jammu and Kashmir and our misfortune have become a part—perhaps a small part but, nevertheless, a part—of the large picture of the world. And therefore the difficulties in our way have increased greatly. It is an international problem and would have been an international problem anyhow if it concerned any other nation besides India—and it does. Its international character was further emphasized because a large



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number of other countries took an interest in the problem and gave advice.

Well, we have tried to fashion our actions in regard to this problem according to what we considered to be our obligations and responsibilities. What were those obligations and responsibilities? The first was to protect and safeguard the territory of India from ever invasion. That is the primary responsibility of the State. Secondly, it was our duty to honour the pledge we gave to the people of Jammu and Kashmir State. And that pledge was a two-fold pledge. We were obliged to protect them from invasion and rape and loot and arson and everything that accompanied that invasion. That was the first part of the pledge. The second part of the pledge was given by unilaterally and was to the effect that it would be for the people to decide finally what their future was to be. The third was to honour the assurances we gave to the United Nations and the fourth was to work for a peaceful settlement. That was not a pledge we had given to anybody but one that was implied in the policy we had tried to pursue right from the beginning. It is in the nature of things that we should pursue a policy of peace, since we are wedded to the ideals of peace. Apart from that, it was necessary that we should do so because the world in which we live appears to be on the edge of a precipice and one has to be very careful in taking any step which might, perhaps, cause the world to tumble over that precipice.

So, these were the four major considerations that we had to keep in view and sometimes it was difficult to balance them. Sometimes they seemed to lead in different directions. It would have been an easy matter if all these factors had led us to the same conclusion. But since they pulled in different directions, our obligations and responsibilities lead us to think not only of one line of action but of several. Then, difficulties arose. Well, we have faced these difficulties and we have sometimes has a hard time deciding what we should do and what we should not do. I should like the House, therefore, to think in terms of



balancing these very important assurances, pledges and the other factors in the situation.

In the course of these years, I have repeatedly placed the situation before this House and it is with the concurrence and support of this House that we have continued to pursue the policy that we have pursued. It has been my belief that, in this matter more than in others, the great majority of the people of this country have approved of our policy. We have had evidence of this approval from time to time in this House and in the House that preceded it. We have received advice from innumerable people, friends and critics in this country and we have always welcomed that advice, even though some of it did not appear to be feasible or right. We have also received advice from innumerable people outside this country. We welcome their advice, too, when it is friendly advice. We do not welcome it when it comes from unfriendly minds or is accompanied by threats or any hint of threats.

We took this matter to the United Nations four years and eight months ago, in the belief that thereby we were serving the cause of peace and in the hope that we would settle the question of Kashmir by means of an agreement. We have not settled it yet, in spite of the labours of the United Nations and its various organs. I would like to repeat what I said on the last occasion in this house when I paid a tribute to Dr. Frank Graham, who has shown enormous patience and enormous perseverance in his pursuit of a peaceful settlement. So far as we are concerned, we shall help him to the end, even though people may get tired of our pursuing the same path. Peace is always an ideal worth pursuing, however tired we may get in the progress. Many of our colleagues and friends in the country have perhaps got weary of this process and I can very well understand their weariness; but their weariness can hardly compare with the weariness of those who are in charge of the Kashmir affair. Day after day, week after week, month after month, we have had to carry this heavy burden. However



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weary we may have become, we dare not act in a hurry, we dare not act in anger, we dare not allow ourselves to be led by passion. The consequences of acting in passion are always bad for an individual; but they are infinitely worse for a nation. Therefore, we have restrained ourselves. We have restrained ourselves even when loud cries of war and loud threats have reached us from across the border. We restrained ourselves and I am glad to say that, generally speaking our people and the press in this country also restrained themselves. I have great sympathy and understanding for those who sometimes felt that we should do something more active and throw off restraint; but I was sure then and I am sure now that it would have been utterly wrong to do so. I am not referring to any minor step here and there but rather to the major trend of the policy that we pursued. We must keep these four major obligations in our minds as we have done in the past, even though we have put the matter before the United Nations. Some friends have advised us to withdraw it from the United Nations. I am not quite sure if they have studied this subject or considered how it is possible to withdraw this or any such matter from the United Nations, unless, of course, we withdraw ourselves from the United Nations, The United Nations concerned itself with this matter at our instance. And, in any case, if we had not brought the matter to the United Nations, others might have done so. If we say, 'we withdraw from the United Nations', we shall only be showing impatience and temper without achieving the results that some people hope we will. Therefore, the question of withdrawal from the United Nations does not arise, unless, of course, this House wishes that the Government of India and the Union of India itself should withdraw from the United Nations. In the latter case, the House must be prepared to face all the consequences of such an action. I presume that the House does not wish this, just as I do not wish it.

I have ventured, in all humility, sometimes to criticize those developments at the United Nations which seemed to me to be out of keeping with its Charter and its past record and profes-



sions. Nevertheless, I have believed and I do believe that the United Nations, in spite of its many faults, in spite of its having deviated from its aims somewhat, is, nevertheless, a basic and fundamental thing in the structure of the world today. Not to have it or to do away with it would be a tragedy for the world. Therefore, I do not wish this country of ours to do anything which weakens the gradual development of some kind of a world structure. It may be that the real world structure will not come in our lifetime but unless that world structure comes, there is no hope for this world, because the only alternative is world conflict on a prodigious and tremendous scale. Therefore, it would be wrong for us to do anything that weakens the beginnings of a world structure, even though we may disagree with this particular organization and even though we may sometimes criticize it, as we have done. It is mainly for these reasons that I fail to understand this cry about our withdrawing the Kashmir dispute from the United Nations. It is not like withdrawing a case from one law court and taking it to another. The United Nations is not to be considered merely as a forum dealing with the Kashmir question. The question is before the nations of the world whether they are united or not and whether they are a forum or not. It is an international matter and a matter which is in the minds of millions of men. How can you withdraw it from the minds of millions of men? Surely not by a legal withdrawal. The question does not arise. We have to face the world; we have to face our people; we have to face facts and we have to solve problems.

Some friends seem to imagine the easiest way to solve the question is to have an exhibition of armed might. They say, 'Let us march our armies'. That can never be a solution in this case or in any other case. The more I live and the more I grow in experience, the more convinced I become of the futility and the wickedness of war as a means of solving a problem. I consider it my misfortune that we even have to spend money on armaments and that we have to keep an army, a navy and an air force. In the world as it is constituted today, one is compelled



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to take those precautions. Any person in a position of responsibility must take these precautions and if we take them, we have to take them adequately and effectively. Accordingly, we must keep a fine army, a fine navy and a fine air force. That is so. But to think in terms of throwing our brave men into warfare is not something I indulge in, unless circumstances force my hands as they forced my hands on a late evening in October 1947. It was only after the most painful thought and consultation that I decided upon our course of action. If I may say so in all humility and without sacrilege, I did so after consulting the Father of the Nation.

People say, 'A part of the territory of India has been invaded. It is held by the enemy. What are we doing to defend that territory of India? We have failed in our defence.' Such statements would be perfectly justified; such criticism of the Government would be legitimate to some extent. It was and is our duty to push out the enemy from every invaded part of the territory of India. That is where the conflict between obligations and responsibilities really begins.

As the House knows, we decided right at the beginning that we were agreeable to a plebiscite in which all the people of Jammu and Kashmir State would take part. It was a curious thing that in spite of having so decided, this war should have continued. The war continued for fourteen months or so—from the end of October 1947 to the end of 1948. It was for us to decide at the end of 1948 or the beginning of 1949, whether we should carry this war on to the bitter end and thereby recover the lost territory or whether we should call a halt to active military operations and try some other and more peaceful method. We decided and, conditioned as we were, I submit we decided rightly to put an end to active military operations and try other methods. These other methods have not brought a solution in their train thus far. And yet, I think it would be right to say that the mere fact that an extraordinarily explosive situation, such as the one that has existed in the State of Jammu



and Kashmir for the last few years, has been controlled is itself no small achievement. We see in other parts of the world how other countries have got more and more entangled in all kinds of morasses and how the path of war becomes more and more difficult. We had the courage and, I say in all humility, the wisdom to pull ourselves out of continuing an unending war before it was too late, so that we might think more calmly, more patiently, more wisely. Whether it has yielded any result yet or not, the fact remains that we have not been having a war for the last three and a half years or so. This is not a bad result, although it may not be a satisfactory solution.

Later, we declared that any further aggression or attack—I say 'any further' because there had been aggression and aggression was continuing—or military operations in regard to Kashmir would mean an all-out war not only in Kashmir but elsewhere, too. That decision was not lightly taken but after serious thought and careful consultation. We said it knowing full well the consequences of what we said. We had weighed the consequences and yet had come to that conclusion. It was no threat but the statement of what was, to our minds, an absolute fact. There could be no further attack on Kashmir without this matter becoming a major war so far as India was concerned. Having made that perfectly clear, I think we succeeded in preventing many an attack that might have taken place in the hope that the aggressors would get away with it.

Two or three basic things follow from this. One is that, in so far as the United Nations is concerned, we shall continue, unless this House decides to the contrary, to deal with it in the manner in which we have done in the past. We have tried our utmost to achieve a peaceful settlement without giving in on any vital point or trying to evade any of our responsibilities or obligations. We have resolved not to dishonour the pledges we have given to the people of Kashmir or to the people of India and, therefore, we shall pursue our policy accordingly.



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The House is aware that we accepted certain resolutions of the United Nations and of the UN Commission that came here. We accepted them, not because we liked everything about them but because in our earnest desire for a peaceful settlement, we were willing to go to great lengths. Nevertheless, we made it perfectly clear that we would not by-pass the pledges we have given or the responsibilities we had undertaken. At a much later stage, another resolution was passed by the Security Council which tried to impose an arbitration on us. We rejected that resolution or that part of it which was objectionable to us. It was one thing for us to agree to a certain proposal after having weighed all the consequences but we could not possibly give up our responsibilities, pledges and assurance; we could not put the matter in the hands of somebody else, whoever he might be. We could never do that because we had our own duties and obligations to consider. How could we hang the faith of the four million people of Jammu and Kashmir State on the decision of an arbitrator? Great political questions—and this was a great political question—are not handed over in this way to arbitrators from foreign countries. That is why we had to reject this particular resolution of the United Nations. We stand by that rejection and are not going to agree to anything which prevents us from honouring the pledges or the assurances we have given.

Subject to that, we shall go all out to seek a peaceful settlement. Among the assurances and pledges that we have given is the pledge which was implied in our policy, namely, that the people of Jammu and Kashmir State would decide their future. Let me be quite clear about this. There still seems to be a good deal of misunderstanding about Kashmir's accession to India. The other day, I said in this House that this accession was complete in law and in fact. Some people and some newspapers, mostly newspapers abroad, seem to think that it is only something that has happened in the last week or fortnight or three weeks that has made this accession complete. According to my views, this accession was complete in law and in fact in Oc-



tober 1947. It is patent and no argument is required, because every accession of every State in India was complete on these very terms by September in that year or a little later. All the States acceded in three basic subjects, namely, foreign affairs, communications and defence. Can anybody say that the accession of any State in India was incomplete simply because they acceded in only those three subjects? Of course not. It was a complete accession in law and in fact. So was the accession of the Jammu and Kashmir State, in law and in fact, by the end of October. It is not open to doubt or challenge. I am surprised that anybody here or elsewhere in the world should challenge it. I was telling the House that when the first United Nations Commission, accompanied by their legal advisers and others came here, it was open to them to challenge it. But they did not, because it was quite clear to them and to their legal advisers that there could be no question about the legal validity of the accession. So, while the accession was complete in law and in fact, the other fact which has nothing to do with law also remains, namely, our pledge to the people of Kashmir—if you like, to the people of the world—that this matter can be affirmed again or cancelled by the people of Kashmir according to their wishes. We do not want to win people against their will and with the help of armed force; and, if the people of Jammu and Kashmir State wish to part company with us, they can go their way and we shall go ours. We want no forced marriages, no forced unions. I hope this great Republic of India is a free, voluntary, friendly and affectionate union of the States of India. The people of Jammu and Kashmir State not only agreed to come to us as they did but it was at their request that we took them into our large family of States. I do believe that they have the same friendly feelings towards us as the other States have. I believe that on repeated occasions they have given evidence of this fact. Even in the election of this Constituent Assembly that took place nearly a year ago, they exhibited that feeling of friendship and union with India. I am personally convinced that if at any time some other method of ascertaining their feel-



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ings is decided upon, they will decide in the same way. But that is my personal opinion; it may not be your opinion or the House's opinion. The fact, however, remains that we have said to them and to the world that we will give them a chance to decide. We propose to stand by their ultimate decision in this matter. Within the limits of these assurances and pledges, we shall continue to pursue the policy that we have decided upon.

A short while ago, we met the representatives of the Government of Kashmir and they were not merely the representatives of the Government but, undoubtedly, the popular leaders of the people of Kashmir. We met them, we talked to them and we discussed many matters with them. We did not go to them in a bargaining spirit or in a spirit of opposition. We discussed matters with them, with a view to solving our intricate problems, with a view to unravelling the knots and with a view to finding some way which would fit in with the various assurances that we had exchanged and with the policies they stood for and we stood for. Many of these policies were, of course, common to both. I placed the agreements we arrived at before this House on the last occasion. It is obvious that these agreements are not a final solution. Much has still to be done; much has to be thought out. But two or three facts remain. One is that, in the nature of things as the present moment, it is necessary to consider the case of Jammu and Kashmir State on a somewhat different footing from the other States in India. This is inevitable because Kashmir has become an international issue in the last few years. A different footing does not mean any special right or privilege except in the sense that it may mean a greater measure of internal autonomy. It is a developing, dynamic situation. One may gradually change it more and more but it is not right for us under the existing circumstances to try to do something by mental coercion or by pressure of some other kind. That would defeat our object and that would, indeed, be playing into the hands of those who criticize us.

(Speech in Lok Sabha, 7 August, 1952)



## CHAPTER 17

### *NEED FOR FRIENDLY APPROACH*

**K**ashmir has been referred to. You should know that it was India who, right at the beginning, without anybody suggesting it, laid down that the future of Kashmir would be decided by the people of Kashmir. That was a unilateral declaration on India's part right at the beginning. Neither the United Nations nor anyone else suggested it then. We stand by it. When a question has troubled us for a considerable time, you can presume that it is an intricate and difficult question. Obviously I cannot go into the intricacies, except to say that we want that it should be settled in such a way as satisfies the people of Kashmir and that it should be settled in a friendly, peaceful way between the parties concerned, India and Pakistan, but, even more, the people of Kashmir. Kashmir is not a bit of baggage to be thrown from Pakistan to India and from India to Pakistan. My own impression has been that this question might have been solved, or might have been nearer solution some time ago, but for the fact of the intrusion of outsiders into this business. They have taken an unholy interest in it and come in the way of a solution. I think that a direct approach by the parties concerned, i.e., India and Pakistan and Kashmir, is the best way of solving it, rather than letting others come in.

I should like to say another thing about India and Pakistan. Please remember that the people of India and Pakistan, even though they may live in two separate, independent countries now, are not only very near to each other in geography but have innumerable common affinities. In fact, they are hardly distinguishable from each other. If for the moment we set aside some political problems over which we differ, we meet not as



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strangers or people from two countries, but as people who have known each other all our lives. We speak the same language, we have the same ideas. We have innumerable friendships and relationships on either side. We are a common people in many ways. That is where the difficulty arises. We are so near to each other that a quarrel assumes the aspect of a brothers' quarrel, which is rather bitter; but nevertheless it is a brothers' quarrel, it is not a strangers' quarrel. Once the approach becomes a friendly approach, then one can go very far. I am happy to say that the general outlook is much more friendly now. So far as we are concerned, whatever our differences might be, we have always avoided taking those differences to the outside world. It is our concern. It is between us that we should settle it.

(Press Conference, Cairo, 25 June, 1953)



CHAPTER 18

## CHANGE OF GOVERNMENT IN STATE

I have already informed the House—on two occasions, I think—of certain development in Kashmir in the course of the last five or six weeks. These developments did not come out of thin air or as a result of some secret conspiracy. Those who had been following events in Kashmir saw this crisis developing for several months past, and the crisis was not so much a crisis vis-a-vis India—though we may consider that aspect also—as an internal crisis.

Before I went to Europe in May, I paid a brief visit to Srinagar. I had always kept myself in fairly close touch with events in the State. I went there at the end of May, and I was surprised and distressed to see the internal state of affairs, economic and political.

In the past couple of years, Kashmir has been praised by us for various land reforms, and they were very good reforms. I do not withdraw my praise of them. But unfortunately, while the reforms were good, the manner of giving effect to them was not good. First, the full consequences were not thought of; and secondly, in the actual implementation, as it appears from subsequent reports, a great deal of injustice was done. I refer to this merely to show that a large number of factors produced a feeling of grave economic discontent among the people there. Much later a committee was appointed, the Wazir Committee. Its report was published only recently. It brings out how the land problem was not properly dealt with and shows the dis-



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content that arose after hopes had gone up very high among the peasantry and others. There were other matters, like the failure of co-operatives.

As a result of all this, grave disputes arose within the Government there, and within the party, the National Conference, from which the Government draws its sanction. And when I went there towards the end of May I was greatly distressed to see this, because I noticed that gradually the Government of Kashmir had ceased to function. It could not function because of internal conflicts. Naturally, in a friendly way, I advised them to pull together, to lay down a definite policy and carry it out as a Government, and not pull in two or three directions.

The other thing which gave me a good deal of disquiet was the fact that over a year ago we had arrived at some kind of an agreement with the Kashmir Government which the House knows well. This House approved of it. It was in a very small part given effect to and then the rest remained in cold storage. I could very well understand certain difficulties which, perhaps, the House does not appreciate. I would not therefore have minded if there was some delay. This delay was largely caused by certain events in Jammu which suddenly accentuated a peculiar situation and produced its reactions in the Kashmir Valley. And those who are no friends of ours, or friends of the Kashmir Government, exploited this position fully. This created another serious complication and delayed the implementation of the agreement.

All these things worked together and, as I said, when I went there in May last I was gravely disturbed. But I had to go away to Europe.

When I was away, my respected colleague, the Education Minister, who has been closely connected with developments in Kashmir, and my colleague, the States Minister, who also has



been connected with it in his official capacity and who has followed developments there, visited Kashmir. The Education Minister went there at the invitation of the Government and gave them good advice. Nevertheless conditions continued to deteriorate and when I came back reports of this deterioration reached me. I invited Sheikh Abdullah to come to Delhi. In fact, even when I was in Europe I had sent word that he should be invited. On return, I invited him. He did not come; then he said he would come a litter later. The invitation was repeated by telephone and later again by letter. Ultimately he did not come. Meanwhile—in fact, before I had come back—Sheikh Abdullah and some others began speaking in a way which seemed strange to me. It distressed us greatly. I could do nothing about it, except to remonstrate with him and ask him why he did so. Obviously he was troubled by the problems to which I have referred, the economic and other complications that had arisen in Kashmir for which he could not see any easy remedy. There were remedies—of course, there are remedies—but he did not see them. So he drifted in a different direction, and rather unfairly cast the blame for some of the economic occurrences on the Government of India through lack of help or whatever it is. Anyhow, the position we took throughout was that it was for the Kashmir Government to decide what policy they would follow. Let their party decide, let the Government decide and have a unified policy. If that policy was in keeping with the Government of India's policy, as we would like it to be, and as we have always endeavoured it to be, well and good. If, on the other hand, the Kashmir Government had a policy with which we differed completely, then it was up to us, the Governments, to sit together and consider, even if we parted company, what we could do about it. I said so to Sheikh Abdullah and other members of his Government.

The fact of the matter was that Sheikh Abdullah himself was in a minority in his Government in these matters, and in a still smaller minority in his party. It was that which produced this element of confusion. So, apart from giving good advice



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and feeling rather distressed, I felt I could do very little. The situation was developing in this way. Ultimately it blew up, as the House knows, and changes took place.

As I have been connected with Kashmir, politically speaking, for a trifle over twenty years and intimately connected in the Government with all these developments that have occurred during the past six or seven years, the House can well imagine the extreme distress that all these developments have caused me. But it is not a personal matter. We have always regarded the Kashmir problem as symbolic for us, and it has far-reaching consequences in India. Kashmir is symbolic as it illustrates that we are a secular State, that Kashmir, with a large majority of Muslims, has nevertheless, of its own free will, wished to be associated with India. Kashmir has consequences both in India and Pakistan, because if we disposed of Kashmir on the basis of the old two-nation theory, obviously millions of people in India and millions in East Pakistan would be powerfully affected. Many of the wounds that had healed might open out again. Therefore, this problem is not, and has never been, a problem of a patch of territory being with India or not. It is a problem of much deeper consequence.

Kashmir is a place of infinite beauty. What is more, Kashmir is a place of great strategic importance. It has always been a misfortune for a country to be situated strategically, because envious eyes fall upon it. Certainly, so far as we are concerned, it is desirable for us from a strategic point of view that Kashmir should be with us. But however that may be, we cannot impose our desire or wish in this matter. We have put that thought aside, and right from the beginning we have stressed that the people of Kashmir should decide this question. We have held by it, and we hold by it still, that they must decide it in the proper way, in the proper context, not in the way that one would imagine some sections of the Pakistan Press want it done.



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We are used to the tone and contents of the Pakistan Press and sometimes to the statements of their people, more or less responsible people, in the past few years, but the actuality in the last few weeks has far exceeded the wildest imagination in this respect. It is amazing that there should be so much hysteria without the slightest justification. I can understand irritation, I can understand strong language, but this type of wild hysteria rather makes one feel that one is dealing with a matter which cannot be dealt with by logic or reasoning or any argument.

As for the kind of so-called facts that are given in the Pakistan Press about happenings in Kashmir, they are so very far from truth that they cannot be called exaggerations. The numbers given as killed in Kashmir, I say, are false, whoever may say it, and there are people who have said it in Delhi. I say, after due enquiry, that these statements of happenings in Kashmir are a hundred per cent false. I say so with full responsibility, having sent our own men, regardless of the Kashmir Government.

Of course, there has been trouble in Kashmir. There have been disturbances and demonstrations. I do not wish to minimize them. Big things have happened and big upsets have taken place because the National Conference which led the national movement all these years has had a sudden split. I should say, taking everything into consideration, that it is surprising that there has been so little trouble there. We have to approach this question with as much calm and wisdom as we possess. It is a difficult question and I repeat that it is going to be decided ultimately by the wishes of the people of Kashmir. Whether it is Kashmir or any other part, we are not going to hold it by strength of arms.

Much has been said about foreign interference in Kashmir. These kinds of charges are often made, and if there is a modicum of truth in them, it is exaggerated. This makes it a little difficult to deal with them. In a matter of this kind, it is



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not easy for me to state before the House every fact that may come to our knowledge, but broadly speaking I would say that in the course of the last few weeks and months some hard cases of individual interference have come before us. It should not be correct to call them governmental interference, but individuals have not behaved properly. You must remember the basic fact that Kashmir is a highly strategic area. Many countries are interested in it and they seek sources of information and intelligence. Go to Kalimpong, for instance. It is a nest of spies; there are spies of every country there, and sometimes I begin to doubt if the greater part of the population of Kalimpong does not consist of foreign spies. News comes out of Kalimpong which may sometimes have some relation to truth, but usually it has none. Likewise, in a place like Kashmir, there are interested individuals and there is espionage. Despite all this, it would be unfair for these wild accusations to be made in the press or elsewhere. I suppose some individuals who function in Kashmir try to get contacts, and no doubt sometimes information is passed on from hand to hand. We have checked it often enough, but this kind of thing is inherent in international affairs, and is not peculiar to Kashmir only. It may be that it happens even in the city of Delhi. I don't think it is right for these wild accusations to be thrown about. If there is any trifle of evidence we naturally taken action. If there is none, mere shouting is not helpful; in fact, it is definitely harmful.

(Speech in Lok Sabha, 17 September, 1953)



## CHAPTER 19

# *KASHMIR'S ECONOMIC PROGRESS*

**K**ashmir is a very big question. Perhaps—why 'perhaps'?— it is the most difficult of all the problems between India and Pakistan. But we must always remember that Kashmir is not a thing to be bandied about between India and Pakistan. It has a soul of its own; it has an individuality of its own. We cannot—much less can Pakistan—play with it as if it were a political game between the two countries. Nothing can be done without the goodwill of the people of Kashmir.

But I might say this. In recent months there has been very considerable progress in Kashmir. I doubt if Kashmir has been as prosperous for many long years as it is today in regard to food, in regard to other goods, and in regard to development schemes undertaken. There is the Sindh Valley Electric Works which will be extraordinarily useful to the whole Valley of Kashmir. It will assist industrial development and will also facilitate lighting. The value of the Sindh works will be specially realized if it is remembered that the old powerhouse at Mahoba, constructed 40 or 50 years ago, is on the point of collapse. Then we have started the great project, the Banihal tunnel. Numerous small projects are bringing about a new atmosphere in the whole of the Jammu and Kashmir State. It can thus be seen that conditions are more satisfactory in Kashmir both from the political and the economic point of view than they have been for a long time. I do not say that everything is totally satisfactory. But things are on the move.

(Speech in Lok Sabha, 31 March, 1955)



## CHAPTER 20

# NO PLEBISCITE IN KASHMIR

There has been in the past so much said, so many papers written, so many reports made about Kashmir that so far as we are concerned, we have got, I think, about 10 fat printed volumes of these papers. It is quite impossible to keep pace with them or to remember these thousands of papers and other things that have been written. Therefore, there is possibly a tendency, not in this House, but generally, of forgetting certain basic facts. I am surprised at the ignorance often shown by eminent foreign observers and by the foreign Press. Whether it is an assumed ignorance or not, I do not know, but there it is.

### Established Facts

Therefore, I want just to refresh the memory of this House by repeating a few of the salient facts. Hon. Members will forgive me if I do not mention everything, because I cannot,—and I do not want anyone to criticise me afterwards, ‘Oh, he did not mention that’—there are too many things, the story is too long a one. But basically, it begins in the last half of October, 1947 when there was an invasion of the Jammu and Kashmir State through Pakistan and by Pakistan. Now, there can be no doubt about this aggression by Pakistan. There are many factors which may be argued about; we say one thing and Pakistan may say another. But there are some facts which, I believe, are above argument. They are established. Of course, some person may argue about everything. But broadly speaking, one may treat them as established—those facts.



Now, the first established fact is that there was aggression by Pakistan in October, 1947 resulting in widespread killing, destruction and loot. This, being the initial fact governing this whole Kashmir affair, must be remembered, because everything subsequently flowed from it and everything and every decision that may be taken, every consideration that may be given to the Kashmir problem, has always to keep this basic fact in mind.

Quite apart from the position of India in regard to Kashmir—I shall go into that a little later—one thing is perfectly clear that there was no shadow of justification for Pakistan to be there, to commit this aggression.

Now, the second fact to be remembered is that legally and constitutionally, Kashmir acceded to India. There is no doubt about it. This also is an undoubted fact. You may criticise the speed with which this was done, the manner of it, but the fact is that, legally and constitutionally, the State of Jammu and Kashmir acceded to India. Therefore, it became the duty of the Indian Union to defend, to protect, Kashmir from aggression and drive out the invaders. I would go a step further and say that even if Kashmir had not acceded to India, even then it would be our duty to defend it. I am trying to develop a constitutional argument in stating the point. It is because of India being a continuing entity. That is, we were India and we are India and a part of it went out, opted out, let us say, and became Pakistan. We allowed it to opt out. Now, whatever did not opt out remained with India till such time as something was done, some decision was taken. That is, our responsibilities continued in regard to every part of what was India until that part deliberately and positively became, not India. I am even taking into consideration that no final decision had been taken about Kashmir's accession to India; but the fact that it was not in Pakistan itself cast a duty upon us to protect it against any attack. But, however, this point does not arise because in effect it did accede to India.



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Remember that all this was in the first 3 or 4 months of our independence. With our background, we were very anxious to avoid military operations. We had to send some troops to Kashmir and I well remember the tremendous concern and anxiety with which we considered this question. For two days we considered it. The first day, that is, the day after we got news of this invasion the next day we met in the Defence Committee and considered it for hours. We were in a very difficult position because we could not obviously and easily send any help. We did not have any proper Air Force then—even aircraft. Then, we waited for a day and a half and when we heard further news of this destruction and loot, etc. at great risk and with great difficulty it was decided—I think at 6 in the evening in our Defence Committee—to intervene knowing that it was a very difficult work and involved great risks for us. And, all the night preparations were made to send some of our forces, not many of them. I think we could altogether send some two or three hundred. We had no aircraft ; we had to stop all the private airlines and use them and at six o'clock next morning we sent these 250 or odd people.

**Encounter with Pakistan Army**

At that time we did not know—though we knew that Pakistan was aiding and abetting these persons—that we were to come face to face with the Pakistan Army. We thought that we will be fighting the tribal people and we thought that 200 or 300 would be enough to deal with the tribal people. If I may say so, it was a piece of organisation work for the decision having been taken at 6 o'clock in the evening and by 5 o'clock the next morning they were gone. It is not very big if you are an organised country, but just after independence and when everything was in a state of flux, it was a difficult thing. These 250 or so arrived there almost at the last moment. If they had



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arrived, may be, 12 hours later, it might have been too late. That is so far as the city of Srinagar was concerned.

Then other things happened and these people and some other forces that went gradually drove out these tribal invaders from the valley up a little above the valley up to a place called Uri where suddenly they found something much more than the tribal people. They found the Pakistan Army entrenched there in Kashmir territory. Obviously, it became difficult for our small force—which was at that time perhaps about a thousand or so—to push out an entrenched regular Army. Since then, of course, operations took place between the Indian Army and the Pakistan Army, these tribal folk faded and they did not count for much.

When we say this, we gave a great deal of thought to it. As you know, as the House knows, ultimately we referred the matter to the Security Council. Many people have criticised us for doing that. As I said, it is easy to be wise after the event. But I think, it was a right step to take and there is no doubt in my mind that the matter would have gone there whether we took it or somebody else took it.

**Gandhiji's advice**

Answering an interruption by Shri H.V. Kamath, Shri Nehru said, "The Hon'ble Member has mentioned Mahatma Gandhi's name. I do not like to bring in his name, but as the Hon'ble Member has mentioned it I shall say something about him in this connection.

When this first invasion took place in Kashmir and we sent our soldiers, I was very greatly worried. All our upbringing had been against war and for peace and our plunging in here and taking these risks of war developing upset me very much. And, naturally, I went to Mahatma Gandhi to seek his advice. I did not wish to drag him into this picture, but I could not help



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doing it as long as he was here. And, his advice was that in the circumstances it was the duty of India to go to the rescue of Kashmir with arms, with Armed Forces.

Subsequently when we had decided or were considering the question of our going to the United Nations, I remember taking to him the draft which we had prepared of the memorandum for the United nations and showing it to him and consulting him about the phraseology of it and I think he made some suggestions in regard to it which we tried to embody.

It is not fair for me now or at any time to take shelter under Gandhiji's advice in this matter and I do not wish the House to imagine that I am doing so. But the Hon'ble Member opposite suddenly mentioned his name. I only wish to say that the decision was ours, not his, but at no time did I lose touch with him or his counsel in this matter. And we tried to adapt our own views as far as we could in the circumstances under his advice.

#### **Pakistan's denial & later confession of aggression**

When this went to the Security Council, they put in long memoranda and they were supported later by very very long speeches. In these memoranda it was stated very stoutly and very strongly that Pakistan had not committed any aggression, and invasion, nor had it aided or abetted anybody to commit aggression. There was an absolutely complete and total denial of what we said. Having done that, they brought in all kinds of other issues ; they talked about genocide, not in Kashmir but in Delhi, Punjab and all over ; they talked about Junagadh and some other States in Kathiawar.

In fact, the greater part of the memoranda was dealing not with the Kashmir issue, which they slurred over and about which they said they had nothing to do with, but with other



matters. It will be interesting for the House to remember that they said to the security Council, "You must consider and decide all these questions-genocide, Junagadh, etc., and they must be decided together with Kashmir simultaneously" I am representing all this to show the mental attitude of Pakistan, first the complete denial of everything, and only a little later they had to admit these things which they had denied, and then trying to divert the mind of the Security Council to problems which did not arise in that connection. I must confess that I was very much taken aback by this tissue of lies that had been put forward by the Pakistan representative before the Security Council. Naturally, we tried to answer that in terms of fact ; we produced pictures and what not. It is interesting for this House to know that lately, in the last year or so, there have been quite a number of statements from prominent people in Pakistan, in the North West Frontier Province of Pakistan, giving details of how they organised this raid from Pakistan, not only details but demands made by one party in the North West Frontier Province on the other for the amount spent in organising it and trying to recover it. Also, only recently, there was a statement by one of the leading officers admitting it. I am merely pointing out how Pakistan was basing its case in the Security Council ; it is something which can only be described as completely false and they had to admit it as false later. When the U.N. Commission came here, then it became quite impossible for Pakistan to say that their forces were not there—because the U.N. Commission would see them there. It was then that they admitted that their forces were there. They said it subsequently, not originally. They might have mentioned it in the U.N. debate which was taking place only a little before ; they did not do so. It was only under compulsion, when they were going to be found out completely, that they admitted it.

In the U.N. Resolution, I think on the 13th August 1948, it was stated:



"The Commission recognise that as the presence of troops in the territory of the State of Jammu and Kashmir constitutes a material change in the situation, since it was represented by the Government of Pakistan before the Security Council the Government of Pakistan agrees to withdraw its troops from the State."

This was the Commission's recommendation. Please observe the language; it is mildly put. "As the presence of troops in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan she agrees to withdraw its troops from the State"—it is a mild way of saying that they had told a lie in the Security Council there and they found the troops here—a material change in the situation as it was represented. Privately the Commission people told us that of course all this was falsely stated, it was complete aggression, but they added, "We have come here to settle the matter peacefully and if we go about publicly condemning everybody, it will become difficult to settle it." So, they tried to avoid giving expression clearly on their decision on aggression, which they admitted and which, in fact, indirectly they stated too.

#### **Pakistan's failure of fulfil pre-conditions for Plebiscite**

The point now to remember is that because of this admission of aggression, the first thing they required was for Pakistan to withdraw its armed forces from the area of the State occupied by it. That was the first thing. There was a great deal of talk about plebiscite and a good deal of talk as to what India should and should not do. But throughout this period, the first demand of the United Nations has been in every respect the withdrawal of Pakistan forces from that area occupied by them. Other factors came later. We were asked later to withdraw the bulk of our forces, that is, on Pakistan withdrawing from that area, we were asked, to relieve tension, to withdraw the bulk of



our forces, but retain our army in the State in order to give it protection. The right of our army to be there was recognised but it was stated that since Pakistan is withdrawing completely from Jammu and Kashmir State, India also can reduce her forces as that would tend to bring about a better atmosphere. It is agreed. But the point I wish the House to remember is that the first essential should be the withdrawal of Pakistan armed forces from that area of the State which they had occupied. Today, 8½ years after that, these armed forces are still there. All this talk of plebiscite and other things is completely beside the point. In face, those questions only arose when Pakistan had taken a certain step, that is, withdrawal of armed forces. And Pakistan is out of court till it performed its primary duty but getting out of that part of the Jammu & Kashmir State on which it committed aggression. This is a major fact to be remembered. Many attempts were made during these years—discussions etc.—to deal with conditions laid down in the U.N. Resolution ; I am not going into all that detail.

I have mentioned one essential thing. There were many other conditions—pre-requisites—to plebiscite. Well many attempts were made. They did not yield results. I am not going into detail as to whose fault it was. The fact is that they did not yield results.

### **Kashmir marches Ahead**

It has been found that the Government of India and the Government of Jammu and Kashmir State could not remain continually in a state of suspended animation in regard to Kashmir ; something had to be done. years have passed and then certain steps were taken by the Jammu and Kashmir Government with the concurrence of the Government of India, to elect, to convene a Constituent Assembly. That was done. We stated even then that actually the Constituent Assembly was free to decide any Constitution it liked, but we made it clear that we continued to be bound by our international com-



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mitments. More years passed and while on the one hand Pakistan continued to occupy a part of the State on which they had committed aggression, the Constituent Assembly proceeded to draw up the Constitution of the State and passed very important measures of land reforms ; great development works were undertaken and the people of the State, except those under the forcible occupation of Pakistan, made progress. Jammu and Kashmir experienced more prosperity under their own Government than they had at any time previously in living memory or before. A very simple test of this is the number of visitors who had gone to Kashmir last year. An unprecedented number of 50,000 went there. At no time, even during the war, had such numbers gone there.

**Prosperous Kashmir**

Eight or nine years have passed and these major changes took place and the Kashmir people were settled. I cannot speak with the authority about the other side and the changes that have taken place there. The Governor-General of Pakistan—I mean, now the President—and others repeatedly talk about the abject slavery of the people of Jammu and Kashmir State under the present regime. I really do not know why they should talk in this irresponsible manner. Jammu and Kashmir State is not a closed book on the subject. 50,000 tourists went there and if there is one thing which is well established, it is this that the State had never been so prosperous before.

It is not for me to say what the state of people on the other side of the cease-fire line is. But notice that there a continuous attempt by people on that side to come over to this side to share in the prosperity.

**Military Aid to Pakistan**

Well, all this was happening and we were discussing various ways with the Prime Minister of Pakistan and a new



development took place. This was the promise of military aid from the U.S.A. to Pakistan—a promise which was subsequently fulfilled. This created not only a new military situation but a new political situation ; and the procedure thus far followed by us became out of date and had to be viewed afresh. That situation has become progressively worse because of the flow of this military aid to Pakistan and the conclusion of SEATO and the Baghdad Pacts. In our discussing or considering this question of Kashmir with Pakistan representatives and others, apart from legal and constitutional issues, we have this practical aspect of it in mind ; that is, we wanted to promote the happiness and freedom of the people of Kashmir and we wanted to avoid any step being taken which would be disruptive, which would upset things which had settled down and which might lead to migration of people this way or that way and which further, if that happened, would again lead conflict with Pakistan which we wanted to avoid ; because, while we were desirous of settling this Kashmir problem with Pakistan, there was no settlement of the Kashmir problem if that itself—the manner of settling itself—would lead to conflict with Pakistan. So, this is an important consideration ; because, as things settle down, any step which might have been logical some years back becomes more and more difficult ; it means uprooting of things that have become fixed—legally, constitutionally and practically.

#### **Pakistan asked to face Facts**

We pointed this out last time when the Prime Minister of Pakistan came here. I pointed this out : "You can talk to me ; you have talked for the last five or six years about these pre-conditions laid down previously in the UN Resolution. We have not come to an agreement. The departure off the Pakistan armed forces itself has not take place. I am prepared to talk to you, if you like, on the subject but it is not very likely that, when we have failed for the last five or six years, we are likely to come to a rapid agreement, more especially when new fac-



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tors have come." They came in a little later—these factors military aid, etc., which have changed the situation completely and all our previous discussions had to be abandoned because the basis of discussion has changed—the military aspect, apart from the political aspect. I said. 'You must recognise facts as they are. It is no good proceeding on the basis of old things ignoring the existing facts.'

Constitutional developments have taken place both in our Constitution and that of the Jammu and Kashmir State. As perhaps Hon'ble Members will remember, we have in our Constitution laid down that we could not agree to any change in regard to the Jammu and Kashmir State without the concurrence of the Jammu and Kashmir Constituent Assembly. That is the constitutional position. I pointed this out to the distinguished representatives from Pakistan who came here.

### So the Deadlock Continues

Meanwhile, another thing was happening. I will mention it ; it is not directly concerned with us but it did somewhat concern the people of Kashmir indirectly. It was development in West Pakistan—that is, the creation of one unit in West Pakistan. Now, as a consequence of all these factors, I have made it quite clear to the Pakistan representatives that while I am prepared to discuss any aspect of this question, if they want to be realistic, they must accept the changes and they must take into consideration all that had happened during these seven or eight years and not talk in the terms of eight or nine years ago. Well, they did not quite accept that position and there the matter ended. Now, the only alternative, I said, was the continuing deadlock in our talks.

### 'No War' Declaration

I had offered sometime back a No-War declaration to the Pakistan Government that, under no circumstances, would



India and Pakistan go to war for the settlement of any dispute. There was considerable correspondence. Nawabzada Liaquat Ali Khan, who was then the Prime Minister, did not agree to that because he said : 'Before you make that declaration, you must settle the questions at issue or you must agree to their being settled—inevitably settled or automatically settled, rather by some process like arbitration, etc., I pointed out to him that I would very gladly settle these questions, but we had already made various attempts and we could not succeed.

I thought that by a no-war declaration a new atmosphere would be created which would help us in settling them. I said, let us consider advance in both lines. Further I said, when you talk to me to bind myself down to strict schedule the question of dispute arises. When a dispute arises it is referred to for conciliation for one month may be two months, one month more for mediation, or two months and then arbitration. Within 4 or 5 months it is over. I said, I am not aware of any country having committed itself to arbitration about any problem, political or other, that might be raised in the future. I said I am not aware of this because when we fix our sovereignty it fixes matters of high State policies which can only be considered by the countries concerned. There are many other questions which can be settled otherwise. So, to ask us to commit ourselves in the future in this way was not a wise or feasible approach. There the matter ended.

Now, the present Prime Minister of Pakistan has again mentioned this matter and I gladly welcome his proposal. But it is clear that we must not tie ourselves in a no-war declaration with all kinds of conditions, etc. Then you get the same vicious circle, you must settle first and then make a no-war declaration; if you settle everything then it is not necessary to have a no-war declaration and this business of trying to commit us to arbitration.



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I want to be quite frank with this House and with the Pakistan Government. Having had 9 years of this Kashmir affair in changing phases and this problem affecting certainly the people of Jammu and Kashmir State, affecting India in a variety of ways, affecting our Constitution and our sovereignty, affecting our vital interests, am I to be expected to agree to some outside authority becoming an arbitrator in this matter? I cannot understand. No country can agree to this kind of disposal of vital issues. But I do think that since we both agreed, both Pakistan authorities and we, that on no account should we go to war at each other, that we should settle our problems peacefully, they may not be settled for some time. It is better to have a problem pending than to go to war for it. Therefore, it would be a very desirable thing, helpful thing, to have a no-war declaration.

### **Border Incidents and UN Observers' Verdict**

One thing more. Pakistan President said with great force that in all these border incidents, in every one of them, India was guilty. Well, any number of incidents have occurred I cannot discuss each one of them, and it may be that even if I have one case they may have another in regard to it. But at least in regard to 10 incidents on the Jammu border the United Nations Observers stated that Pakistan was the aggressor. So I take their word for it. But again I would repeat what I said here in my statement the other day, about the Nekowal incident. The Nekowal incident stands out in a stark manner not because 12 persons were killed—that is bad enough—but in the way it has been dealt with by the Pakistan Government. Now, the present President of the Pakistan Republic was in Delhi when we received the report of the U.N. Observers in regard to this incident. It was handed over to him and to the then Prime Minister. They assured us, and in fact the Prime Minister stated in public, that they would deal with and punish those who were found guilty by the U.N. Observers. This is not our opinion which might be challenged by Pakistan. This was the opinion



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of the U.N. Observers after an enquiry. Anyhow, they had themselves said that they would carry out the job and punish the guilty. I am astonished that a year or more has passed and nothing has been done. I am still further astonished that statements should be made that we are the aggressors in all these incidents.

**No ill-will to Pakistan**

I am afraid I have taken a great deal of the time of the House, but I did wish to refer to the Kashmir matter in some detail and to bring out some basic facts. I hope that the Pakistan Government and the people will consider these basic facts and realise that we mean no ill to them—to Pakistan. It will be absurd for us to mean any ill to them because our prosperity is connected with their prosperity. We want to be friends with them. We want to settle all our problems in a friendly way and I am sure we can settle them if our approach is a friend's approach.

(Speech in the Lok Sabha, 20 March, 1956)



## CHAPTER 21

# BASIC FACTS OF THE CASE

I have taken a good deal of the time of the House, but there is one matter I should like to deal with slightly more fully, and that is Kashmir. There has been in the past so much said, so many papers written and so many reports made about Kashmir that we have, I think, about ten bulky printed volumes of these papers. It is impossible to keep pace with them or to remember all the things that have been written. Therefore there is possibly a tendency, not in this House, but generally, of forgetting certain basic acts. I am surprised at the ignorance often shown by eminent foreign observers and by the foreign Press. Whether it is assumed ignorance or not, I do not know, but there it is.

Therefore, I want just to refresh the memory of this House by repeating a few of the salient facts. Hon. Members will forgive me if I do not mention everything, because I cannot. I do not want anyone to criticize me afterwards for not mentioning some point or other. There are too many of them; the story is too long. But basically, it begins in the last half of October 1947 when there was an invasion of the Jammu and Kashmir State through Pakistan and by Pakistan. Now, there can be no doubt about this aggression by Pakistan. There are many factors which may be argued about; we may say one thing and Pakistan may say another. But there are some facts which, I believe, are above argument. They are established, though there are some persons who argue about everything.

The first established fact is that there was aggression by Pakistan in October 1947 resulting in widespread killing, destruction and loot. This, being the initial fact governing this



whole Kashmir affair, must be remembered, because everything subsequent flowed from it. Every decision that may be taken, every consideration that may be given to the Kashmir problem, has always to keep this basic fact in mind.

Quite apart from the position of India in regard to Kashmir—I shall go into that presently—one thing is perfectly clear, that there was no shadow of justification for Pakistan for committing this aggression.

The second fact to be remembered is that legally and constitutionally, Kashmir acceded to India. This also is an undoubted fact. You may criticize the speed with which this was done and the manner of it. But the fact is that legally and constitutionally the State of Jammu and Kashmir acceded to India. Therefore, it became the duty of the Indian Union to defend and to protect Kashmir from aggression and drive out the invaders. I would go a step further and say that even if Kashmir had not acceded to India, even then it would have been our duty to defend it, because constitutionally India was a continuing entity. That is, we were India and we are India. A part of it went out, opted out, let us say, and became Pakistan. We allowed it to opt out. Now, whatever did not opt out remained with India till such time as some other decision was taken. That is, our responsibilities continued in regard to every part of what was India untill that part deliberately and positively became not India. I am even taking into consideration that no final decision had been taken about Kashmir's accession to India; but the fact that it was not in Pakistan itself cast a duty upon us to protect it against any attack. However, this point does not arise because in effect it did accede to India.

Remember that all this was in the first three or four months of our independence. With our background, we were very anxious to avoid military operations. We had to send some troops to Kashmir and I well remember the extreme concern and anxiety with which we considered this question. For two



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days we considered it. The first day, that is, the day after we got news of this invasion, we met in the Defence Committee and considered it for hours. We were in a very difficult position because we could not obviously and easily send any help. We did not have any proper Air Force then. We waited for a day and half and when we heard further news of this destruction and loot, at great risk and with great difficulty, it was decided—I think at six in the evening in our Defence Committee—to intervene, knowing that it was a very difficult work and involved great risks for us. And all the night preparations were made to send some of our forces. I think we could altogether send some two or three hundred. We had no aircraft; we had to stop all the private airlines and use them. And at six o'clock next morning we sent these two hundred and fifty odd people.

At that time we did not know—though we knew that Pakistan was aiding and abetting these persons—that we were to come face to face with the Pakistan Army. We thought that we would be fighting the tribal people and we thought that two hundred or three hundred would be enough to deal with the tribal people. If I may say so, it was some piece of organizational work, that, with the decision having been taken at six o'clock in the evening, by five o'clock the next morning they were gone. It is not very big if you are an organized country, but just after independence when everything was in a state of flux, it was a difficult feat. These two hundred and fifty or so arrived there almost at the last moment. If they had arrived twelve hours later, it might have been too late. That is so far as the city of Srinagar was concerned.

These people and other forces that went there drove out those tribal invaders from the Valley up to a place called Uri where they suddenly found something—not just the tribal people, but much more. They found the Pakistan Army entrenched in Kashmir territory. Obviously, it became difficult for our small force—which was at that time perhaps about a thousand—to push out an entrenched regular Army. After that,



of course, the operations were between the Indian Army and the Pakistan Army, and the tribal folk faded away and counted for very little.

When we saw this, we gave a great deal of thought to it. As you know, as the House knows, ultimately we referred the matter to the Security Council. Many people have criticized us for doing that. As I said, it is easy to be wise after the event. But I think it was a right step to take and there is no doubt in my mind that the matter would have gone there whether we took it or somebody else took it.

Shri H.V. Kamath : Mahatma Gandhi advised against it.

Shri Jawaharlal Nehru : The hon. Member has mentioned Mahatma Gandhi's name. I do not like to bring in his name but as the hon. Member has mentioned it I shall say something about him in this connection.

When this first invasion took place in Kashmir and we sent our soldiers, I was very greatly worried. All our upbringing had been against war and for peace and our plunging in there and taking these risks of war upset me very much. And, naturally, I went to Mahatma Gandhi to seek his advice. I did not wish to drag him into the picture but I could not help doing it as long as he was there. His advice was that in the circumstances it was the duty of India to go to the rescue of Kashmir and to go with Armed Forces.

Subsequently, when we had decided or were considering the question of our going to the United Nations, I remember taking to him the draft which we had prepared of the memorandum for the United Nations and showing it to him and consulting him about the phraseology. I think he made some suggestions which we tried to embody. It is not fair for me now or at any time to take shelter under Gandhiji's advice in this matter and I do not wish the House to imagine that I am



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doing so. But the hon. Member opposite mentioned his name abruptly. I only wish to say that the decision was ours, not Gandhiji's, but at no time did I lose touch with him or his counsel in this matter. And we tried to adapt our own views, as far as we could in the circumstances, to his advice. When this case went to the Security Council, Pakistan submitted long memoranda which were supported later by very long speeches. In these memoranda it was stated very stoutly and very strongly that Pakistan had not committed an aggression or invasion or aided or abetted anybody in committing aggression. There was a complete and total denial of what we said. Having done that, they brought in all kinds of other issues; they talked about genocide, not in Kashmir but in Delhi, Punjab and all over; they talked about Junagadh and some other States in Kathiawar.

In fact, the greater part of the memoranda dealt not with the Kashmir issue, which they slurred over and about which they said they had nothing to do, but with other matters. It will be interesting for the House to remember that they asked the Security Council to consider and decide all these questions, genocide, Junagadh, and so on, together with Kashmir, simultaneously. I am repeating all this to show the mental attitude of Pakistan. First they completely denied everything, and only a little later they had to admit what they had denied. Then they tried to divert the mind of the Security Council to entirely different problems which we had not mentioned and which had not arisen in that connection. I must confess that I was very much taken aback by this tissue of lies that had been put forward by the Pakistan representative before the Security Council. Naturally, we tried to answer that in terms of fact; we produced pictures and proofs. It is interesting for this House to know that lately, in the last year or so, there have been quite a number of statements from prominent people in Pakistan, particularly in the North-West Frontier Province of Pakistan, giving details of how they organized this raid from Pakistan; and demands have been made by one party in the North-West Frontier Province on the other for the amount spent in organiz-



ing it. Also, only recently there was a statement by one of the leading officers admitting this participation. I am merely pointing out how Pakistan was basing its case in the Security Council; it is something which can only be described as completely false and they had to admit it as false later. When the U.N. Commission came here, then it became quite impossible for Pakistan to say that their forces were not there—because the U.N. Commission would see them there. It was then that they admitted the presence of their forces. They said it subsequently, not at the outset. They might have made this admission in the U.N. debate which was taking place only a little earlier, but they did not do so. It was only under compulsion, when they were going to be found out completely, that they admitted it.

In the Resolution of August 13, 1948, the Commission proposed that:

“As the presence of troops in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from the State.”

This was the Commission's recommendation. Please observe the language; it is mildly put. “As the presence of troops in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan” is a mild way of saying that they had told a lie in the Security Council but that the Commission found the troops here. That is what is meant by a material change in the situation. Privately the Commission people told us that a lot of falsehood had been stated and that there was complete aggression; but they added, “We have come here to settle the matter peacefully and if we go about publicly condemning everybody, it will become difficult to settle it.” So,



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they tried to avoid giving expression clearly to their finding on aggression, which they admitted and which, in fact, indirectly they stated too.

The point now to remember is that because of admission of aggression, the first thing the Commission required was that Pakistan should withdraw its Armed Forces from the area of the State occupied by it. That was the first thing. There was a great deal of talk about plebiscite and a good deal of talk as to what India should and should not do. But throughout this period, the first demand of the United Nations has been in every respect the withdrawal of Pakistan Forces from that area occupied by them. Other factors came later. we were asked to withdraw the bulk of our Forces later, that is, on Pakistan withdrawing from that area. We were asked, to relieve tension, to withdraw the bulk of our Forces, but retain our Army in the State in order to give it protection. The right of our Army to be there was recognized, but it was stated that since Pakistan was withdrawing completely from Jammu and Kashmir State, India also could reduce her Forces as that would tend to bring about a better atmosphere. The point I wish the House to remember is that the first essential was the withdrawal of Pakistan's Armed Forces from that area of the State which they had occupied. Today, eight and a half years after that, those Armed Forces are still there. All this talk of plebiscite and other things is completely beside the point. In fact, those questions would arise only when Pakistan had taken a certain step, that is, withdrawal of Armed Forces. And Pakistan is out of court till it performs its primary duty by getting out of that part of the State on which it has committed aggression. This is a major fact to be remembered. There were many other prerequisites for a plebiscite. Well, many attempts were made. They did not yield results. But the Government of India and the Government of Jammu and Kashmir State could not remain continually in a state of suspended animation in regard to Kashmir; something had to be done. Certain steps were taken by the Jammu and Kashmir Government with the concurrence of the Government



of India, to elect and convene a Constituent Assembly. That was done. We stated even then that actually the Constituent Assembly was free to decide any constitution it liked but we made it clear that we continued to be bound by our international commitments.

More years passed and while on the one hand Pakistan continued to occupy a part of the State on which they had committed aggression, the Constituent Assembly proceeded to draw up the Constitution of the State and it passed very important measures of land reforms. Great development works were undertaken and the people of the State, except those under the forcible occupation of Pakistan, made progress. The people of Jammu and Kashmir experienced more prosperity under their own Government than they had at any time previously in living memory or before. A very simple test of this is the number of visitors who went to Kashmir last year—fifty thousand, an unprecedented number.

Eight or nine years have passed, and the people of Kashmir have settled down to work. The Governor-General of Pakistan—I mean, the President—and others repeatedly talk about the abject slavery of the people of Jammu and Kashmir State under the present regime. I really do not know why they should talk in this irresponsible manner. Jammu and Kashmir State is not a closed book. Fifty thousand tourists have gone there and if there is one thing which is well established, it is that the State has never been so prosperous before.

It is not for me to say what the state of people on the other side of the cease-fire line is. But I notice that there is a continuous attempt by people on that side to come over to this side and share in the prosperity.

We were discussing various ways of settling the question with the Prime Minister of Pakistan when a new development took place. This was the promise of military aid from the U.S.A.



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to Pakistan—a promise which was subsequently fulfilled. This created not only a new military situation but a new political situation; and the procedure thus far followed by us became out of date and had to be viewed afresh. That situation has become progressively worse because of the flow of this military aid to Pakistan and the conclusion of the SEATO and Baghdad Pacts. Apart from the legal and constitutional issues, we have this practical aspect to remember in discussing the question of Kashmir with Pakistan representatives and others. We want to promote the happiness and freedom of the people of Kashmir and we want to avoid any step being taken which would be disruptive, which would upset things that have settled down and which might lead to migration of people this way or that way and which, further, would again lead to conflict with Pakistan. There is no settlement of the Kashmir problem if the manner of settling it leads to fresh conflict with Pakistan. As things settle down, any step which might have been logical some years ago becomes more and more difficult; it means uprooting of things that have become fixed, legally, constitutionally and practically.

We pointed this out the last time the Prime Minister of Pakistan came here. I told him: "You can talk to me; you have talked for the last five or six years about these preconditions laid down previously in the U.N. Resolution. We have not come to an agreement. The departure of the Pakistan Armed Forces itself has not taken place. I am prepared to talk to you, if you like, on the subject, but it is not very likely that, when we have failed for the last five or six years, we are likely to come to a rapid agreement, more especially when new factors have come into the picture." All our previous discussions had to be abandoned because the basis of discussion had changed. I told him that facts had to be recognized as they were. It was no good proceeding on the basis of old things, ignoring the existing facts.



Meanwhile, another thing has been happening. Development have taken place both in our Constitution and that of the Jammu and Kashmir State. As hon. Members will perhaps remember, we have laid down in our Constitution that we could not agree to any change in regard to the Jammu and Kashmir State without the concurrence of the Jammu and Kashmir Constituent Assembly. That is the constitutional position. I pointed this out to the distinguished representatives from Pakistan who came here.

The creation of one unit in West Pakistan also concerns the people of Kashmir indirectly. Now, as a consequence of all these factors, I made it clear to the Pakistan representatives that while I was prepared to discuss any aspect of this question, if they wanted to be realistic they must take into consideration all that had happened during these seven or eight years and not talk in terms of eight or nine years ago. They did not quite accept that position and there the matter ended.

The only alternative, I said, was a continuance of the deadlock in our talks. I had offered some time ago a no-war declaration to the Pakistan Government to the effect that under no circumstances would India and Pakistan go to war for the settlement of any dispute. There was considerable correspondence. Nawabzada Liaquat Ali Khan, who was the Prime Minister then, did not agree to that and he said: "Before you make that declaration, you must settle the question at issue or you must agree to their being settled by some process like arbitration." I pointed out to him that I would very gladly settle these questions but various attempts had already been made which had not succeeded. I thought that by a no-war declaration a new atmosphere would be created which would help us in settling them. I said, "Let us consider advance on both lines." Further I said, "When you want me to bind myself down to a strict schedule there will be possibility of disputes arising. When a dispute arises it is referred to conciliation which might take a month or two, then to mediation which might take a couple of



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more months, and then to arbitration." I said I was not aware of any country having committed itself in advance to arbitration about any problem that might arise in the future.

The present Prime Minister of Pakistan has again mentioned this matter and I gladly welcome his proposal. But it is clear that we must not tie ourselves in a no-war declaration with all kinds of conditions. Then you get into a vicious circle. You are asked to settle first and then make a no-war declaration; but if you settle everything then it is not necessary to have a no-war declaration or arbitration.

I want to be quite frank with this House and with the Pakistan Government. Having had nine years' experience of this Kashmir affair in all its changing phases—a problem that is affecting the people of Jammu and Kashmir State, affecting India in a variety of ways, affecting our Constitution and our sovereignty and affecting our vital interests—am I to be expected to agree to some outside authority becoming an arbitrator in this matter? No country can agree to this kind of disposal of vital issues. I do think that if both Pakistan and we are agreed that on no account should we go to war with each other but should settle our problems peacefully, they may not be settled for some time, but it is better to have a problem pending than to go to war for it. Therefore, it would be very desirable and helpful to have a no-war declaration.

One thing more. The Pakistan President said with great force that in all these border incidents, in every one of them, India was guilty. Well, any number of incidents have occurred. I cannot discuss each one of them. But at least in regard to ten incidents on the Jammu border the United Nations Observers have stated that Pakistan was the aggressor. I take their word for it. But I shall repeat what I said here the other day in my statement on the Nekowal incident. The Nekowal incident stands out in a stark manner not because twelve persons were killed, but in the way it has been dealt with by the Pakistan



Government. The present President of the Pakistan Republic was in Delhi when we received the report of the U.N. Observers in regard to this incident. It was handed over to him and to the then Prime Minister. They assured us, and in fact the Prime Minister stated so in public, that they would deal with and punish those who were found guilty by the U.N. Observers. What Pakistan had to deal with was not our opinion, but the opinion of the U.N. Observers, arrived at after an enquiry. Pakistan itself said that the guilty would be punished. I am astonished that a year or more has passed and nothing has been done.

I am still more astonished that statements should be made to the effect that we are the aggressors in all these incidents. I am afraid I have taken a great deal of the time of the House, but I wanted to refer to the Kashmir matter in some detail and to bring out some basic facts. I hope that the Government and the people of Pakistan will consider these basic facts and realize that we mean no ill to them. It will be absurd for us to mean any ill to them because our prosperity is connected with their prosperity. We want to be friends with them. We want to settle all our problems in a friendly way and I am sure we can settle them if their approach is a friend's approach.

(Speech in the Lok Sabha, 29 March, 1956)



## CHAPTER 22

# NEHRU AT THE PRESS CONFERENCE

//Now, one of you asked me about Kashmir. I dealt with this question rather fully in my speech. I am very glad I did so because of the enormous amount of confusion about facts. One can understand differences in interpretation or approach to this question, but surely certain basic facts should be recognised, and I repeated them on that occasion and I am prepared to repeat them now. I think that what Mr. Mohammed Ali, the Prime Minister of Pakistan, has said in regard to the facts is utterly incorrect, in regard to many of them.

### Accession legally and constitutionally complete

I have said so many times before. First—about the accession—there is no doubt about the legal and constitutional fullness of the accession, and for Mr. Mohammad Ali or other to go on saying that it was a fraudulent transaction does little credit to him or to others in Pakistan.

### Pak Invasion—a fool-proof proof

Secondly, there is no doubt that the people who invaded and committed aggression in Kashmir were aided, abetted, supplied with arms and transport and petrol by Pakistan. Pakistani people who did it have made statements in the past year or two and of course, it is a well-known fact. Now, Mr. Mohammad Ali says that Pakistan armies went into Kashmir in May 1948, i.e., when, according to him, Pakistan was threatened by Indian Armies in Kashmir. We say that Pakistan Armies—I can-



not remember the date—were there in November 1947 and we have the most absolute fool-proof proof of that. When the raiders were driven out of the valley of Kashmir by our forces, limited forces—about 1000, I think probably 2000, our soldiers may be a little more—beyond Baramulla, the raiders obviously could not withstand an organised army. When our forces reached Uri, suddenly they found that there was an organised army sitting there and that was the Pakistan army at Uri entrenched with big guns and the like. It became a different problem. For the first time I realised that Pakistan was not merely helping and aiding the raiders, but was actually sitting there with its own army. Some of you may remember that we had an exhibition in Delhi, some time in 1948, with captured arms and various other things which had been captured in Uri and elsewhere which belonged to the Pakistan army—an interesting exhibition. Of course this matter was argued at some length in the United Nations in those days. People have forgotten in.

### **Mohammed Ali's lie**

Then Mr. Mohammad Ali talks a great deal about what had happened in Poonch or in parts of Jammu. I think he has given an exaggerated version of that. I am not going into the details, but the point is that there was absolutely no trouble of any kind in Kashmir proper. When these people came, the raiders, there had been no trouble of any kind there. It was an absolutely uncalled for, unjustifiable invasion and aggression.

### **"To Delhi via Kashmir"**

You may not remember, but those motor vehicles that brought these raiders had rather curious inscriptions on them. Inscriptions were often "To Delhi", not merely 'Kashmir' or 'Srinagar' but "To Delhi via Kashmir." Well, this may have been a flight of imagination of the person who had put it there. So all these long arguments of Mr. Mohammad Ali about some



disturbances in Poonch which undoubtedly occurred over the question of tax payments and what not—and I am not here obviously to justify what the Maharaja did, I am not interested in the Maharaja's doings and I think he very often misbehaved a lot, that is why I was very glad that he had to quit—but the point is the way Pakistan wants to justify things.....

### Vicious Mix-up

First of all the argument is: "We had nothing to do with this business in Kashmir. Others did it." How others can walk over the body of Pakistan without their knowing it and doing it, I cannot understand. Secondly, they justify it by what happened in Junagadh, in other odd places which has nothing to do with Kashmir. He does bring in, as you know, the argument of genocide. Well, there was genocide and genocide undoubtedly in Pakistan, undoubtedly in parts of India, both places. Many of us witnessed that in both places, it was a horrible affair. But what it has got to do with a deliberate invasion of Kashmir, I do not know. You see how a relatively simple issue is mixed up with other matters so as to produce confusion in people's minds. Throughout Pakistan has dealt with this matter in this way. Mr. Zafrullah Khan stated his case in the United Nations and made many statements there which, I say with all responsibility, were a tissue of lies. I said that in Parliament and I repeat it. It has nothing to do with this business of invasion of Kashmir.

### Remarkable Period

Now, another interesting thing is that there was no Indian army, not a soldier for many days after the invasion. The whole of the valley of Kashmir was open to any invader. Srinagar was defended by the people of Srinagar, just volunteers. It was rather a remarkable period, a few days which for some time one sees in revolutionary upheavals, i.e., the common people stirred by distant danger defending their city and their valley.



Naturally they could not do it for ever. It was remarkable they did it even for a few days. It showed the spirit of the people and their anger and resentment and opposition to the invaders. So these broad facts have to be remembered.

### **Russian Verdict practically and completely correct**

And the second aspect is—I cannot go into eight years' history, and all that has happened during this period of eight years—we waited year after year for the issue to be settled with Pakistan, because we wanted friendly relations with Pakistan. Nothing happened. Ultimately, we had to go ahead and there were elections in Kashmir. An Assembly was elected for drawing up its programme. The whole phase has been changing not only on this side, but on the other side too. You cannot ignore everything that has happened in these nine years. We must take them into consideration—the constitutional and the practical developments. And, therefore, I say that the statement made by Mr. Bulganin and Mr. Khrushchev in regard to Kashmir was legally, constitutionally and practically completely correct.

Question: They made a speech in Kashmir. They said something rather different.

Answer: There are two statements. Well, I have not got here the exact words with me. They just made the statement. I said legally, and constitutionally it was quite correct and practically too, because many things have happened. If a person wants to argue with me on the legal and constitutional issue, well, then I am quite prepared to argue on the basis—on the very first, initial beginning of this problem, that is aggression. If you want to have the law, you have the law and we will deal with that legally, constitutionally and practically. If you want law, we have to consider aggression and the accession which is completely legal and everybody has admitted it (accession) except perhaps those who refuse to open their eyes and admit obvious facts. I do not want to go into the legal quibbles in



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discussing a problem in which human beings are involved and national relationships are involved.

### **The Practical Approach**

Let us look at it from the practical point of view, because we want above all the welfare and freedom of the Kashmir people. We want good relations with Pakistan—between India and Pakistan. That is very important to us, more important than some strictly legal or constitutional interpretation. But if the law is thrust upon us, then we shall have the law and the law is that the aggressor is the guilty party and that Kashmir has acceded to and is a part of the Union of India. That is the law; that has to be the practical approach.

Question: The demand for the prior withdrawal of the Pakistani forces pre-dates the offer of military aid to Pakistan which was later given and which has changed the context of the whole problem. Would it now be adequate merely if Pakistan withdraws its forces from Kashmir? What difference did that military aid make?

Answer: Throughout this period of discussion with Pakistan, we had got bogged over the question of the pre-requisites to a plebiscite. Among them, there were many points. The very first thing was the withdrawal of troops, etc. We never got over that difficulty. If we had got over it, of course, there were other important problems. Well we did not get over that difficulty.

Again, this question of military aid which altered the whole situation—military situation and political situation, both from the point of view of the defence of Kashmir, because it makes little difference now to what extent Pakistan withdraws, because there was a much more increase of military potential sitting there behind them. It makes a huge difference.



Secondly, all this has become a matter of high importance from the point of view of defence of India and all these factors had to be considered. With large bases surrounding India, and not only surrounding India but so far as my knowledge goes, in the Pakistan-occupied territory of Kashmir, it makes a tremendous difference to us in many ways. The whole context of the question changes.

Question: An inference has been drawn in certain sections that you do not want the plebiscite in Kashmir to be held now. Is it correct?

Answer: Largely so. I will explain myself. What I have said was that we have tried and discussed this question of plebiscite for six or seven years, but the pre-conditions have not been fulfilled. Meanwhile, other things have taken place, like military aid, etc., which have increased the difficulties tremendously of this problem. It is not that I am not willing to discuss this problem still further. But as a practical person, I think that this is leading us to a blind alley. We have, therefore, to discuss it from another point of view in regard to the conditions that have arisen now and try to come to an agreement.

As a matter of fact, I expect that the Constitution of Kashmir will be finalised soon. It has been largely finalised and will be completely finalised soon, and in all likelihood there will be general elections there on the basis of the new Constitution some time or other in the future.

(Proceedings of the press conference, 2 April, 1956)



## CHAPTER 23

# SPEECH AT ALLAHABAD

### Kashmir, an Integral part of India

Addressing a public meeting at Allahabad on April 4, the Prime Minister of India, Shri Jawaharlal Nehru, said that Kashmir has acceded to India and was, therefore, legally and constitutionally a part of India. Mr. Nehru declared that the stand taken by India on the Kashmir issue was supported by Mr. Bulganin and Mr. Khrushchev.

He recalled his recent statement on Kashmir at a Press conference in Delhi and said that it had caused great resentment in Pakistan, but there were other countries which had welcomed it. The Prime Minister said that by making that statement he had cleared the position, as he felt that by keeping this matter in suspense they were retarding the progress of Kashmir.

### Kashmir Issue—a Closed Chapter

Kashmir had made enormous progress in the past few years. "If we open the Kashmir question now the people of Kashmir would be ruined just as refugees from East and West Pakistan have suffered".

Mr. Nehru said that people from the so-called "Azad" Kashmir part of the State were anxious to cross the cease-fire line due to economic depression. If their entry had not been stopped, hundreds of thousands of Muslims would have come to this side.



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Mr. Nehru declared: "India is not prepared to settle the Kashmir problem under any threat".

(April 4, 1956)



## CHAPTER 24

# CONFERENCE AT ALLAHABAD

### Talks on Kashmir Ruled out

**A**t a Press conference at Allahabad on April 5, the Prime Minister of India ruled out the possibility of a meeting with the Prime Minister of Pakistan in the near future to discuss Kashmir.

Asked whether there was any possibility of a conference of the Indian and Pakistan Prime Ministers to discuss Kashmir, Mr. Nehru said: "No. So far as I know there is no likelihood of any such meeting in the near future.

### Stand on Kashmir, the only right course

Mr. Nehru said that the stand taken by him on Kashmir did not constitute any "menace to the cause of peace in Asia". It was the only right course taking into consideration the situation as it had arisen and developed today. "Any other course will be impracticable and will lead to graver problems than the one existing today and lead indeed possibly to what the Pakistan President, General Iskandar Mirza, has said: 'Greater menace to peace'."

When his attention was drawn to a speech made by General Mirza in which he had described Mr. Nehru's stand on Kashmir as "a menace to the cause of peace in Asia", Mr. Nehru said: "I do not know if it helps me or anyone else to enter into controversies over the language of this matter. What I have declared is a factual statement about the origin of the



dispute and how it had developed in the last eight or nine years."

He added : "I often see criticism in the foreign Press, which indicates that they do not know the basic facts of the dispute or they have forgotten them. So I thought it better to place them clearly before the public."

### **New Developments**

The Prime Minister said : "Apart from these basic facts as well as the fact that eight years have elapsed now in our attempts to solve it, two or three important developments have taken place which are affecting this problem directly or indirectly. One was the American arms aid to Pakistan.

He referred to SEADO and the Baghdad Pact and said : "One can see how these organizations have begun to interfere by the recent meeting (of the SEADO Powers) held at Karachi where Kashmir was dragged in. All these are recent developments and they affect the Kashmir issue."

Another development not directly affecting the Kashmir issue, but nevertheless affecting indirectly, was the increasing exodus from East Pakistan. These were important recent factors which should be looked at as a whole.

### **Welfare of people—main concern**

Mr. Nehru said : Our main consideration always has been the good of the people of Kashmir and their freedom to live their own life. We do not wish to impose ourselves upon them. Even now Jammu and Kashmir State has a very large measure of autonomy—more than any other State in India, and we have willingly agreed to it. They are fashioning their own destiny. We are not interfering. We are helping them.



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"Another consideration that has always to be borne in mind is that whatever steps we may take they should not upset the life of millions of people in Kashmir. They should not upset India and Pakistan. Therefore from the practical point of view one has to take into consideration the situation as it has arisen and as it has developed and exists today.

"I am sure that when the President of Pakistan and others there (in Pakistan) consider this question calmly, they will see the reasonableness of what I have said. I have repeatedly stated that we want the friendliest relations with Pakistan."

**Force not to be used**

Replying to a question whether the Government of India intended to take steps to free the people in "Azad Kashmir", Mr. Nehru said : "You must remember that there is a ceasefire line where on either side there are armed forces. Armed forces do not approve a large number of people crossing from one side to the other. So from that point of view we have to prevent large number of people from coming to our side. In spite of this hundreds have come over, but we cannot afford to allow all kinds of people to come."

He added : "We have no intention to using any kind of force with regard to the Pakistan-held territory."

(5 April, 1956)



## CHAPTER 25

# KASHMIR AND INDO-PAK RELATIONS

**M**ichael Brecher : Well, aside from the fact that Kashmir has legally acceded to India, what makes Kashmir so important to India? Does it have any implications for India's efforts to establish a secular state and to maintain communal harmony in this country?

Jawaharlal Nehru : Yes, that is probably the most important aspect of it. There is a sentimental aspect, not so important. Kashmir has been intimately connected with India, culturally and otherwise, for 2,000 or 3,000 years. It has been a great centre of Indian culture, it has been a great centre of Buddhist culture, it has been a great centre of Islamic culture. Probably in Kashmir more than anywhere else in India there has been less of what is called communal feeling, and Hindus and Muslims and others have very rarely quarrelled. And even if they have quarrelled, it has been of short duration. Their lives are generally more or less alike. Their culture is alike, their language, eating habits, and whatever goes to make a culture. And they have lived happily together even if there has been trouble in India. Now, we have never accepted, even when partition came to India, the two-nation theory, that is, that the Hindus are one nation and the Muslims are another. If Muslims want to go out of India, that is a different matter, that is, a certain area of India votes itself out. But we did not accept it and, even if every Muslim says so—every Muslim did not say so—I say we cannot accept that because once we accept that nationality goes by religion, we break up our whole conception of India. India is a



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country with many religions. Maybe one is larger than the others, but there are fairly big religions here, any number of them. And, as in any other country, nationality has to be based on other factors, not on religion, of course giving freedom to various religions to function. Pakistan came into existence and a large number of Muslims decided that way when we accepted it. Many went there, and many Hindus came here. Nevertheless, 35 million Muslims remained in India. Today there are more Muslims in India than there are in West Pakistan.

MB : A fact that is generally unknown.

JN : Unknown, because Pakistan is in two bits. In Kashmir, even before the partition, there was, as you must know, a struggle for the mind and heart of Kashmir between the Muslim League and the national movement of Kashmir. We did not come into the picture then. Later, we came in, and the national movement of Kashmir deliberately rejected the Muslim League idea of the two-nation theory. That was before partition and, naturally, we welcomed it and we co-operated with them in the larger national movement. Then came the partition and the struggles in India. There were no troubles in Kashmir. And, when Kashmir joined India, both in the constitutional sense, through the Maharaja who had the right to do so, and in a popular sense through the organization, well, apart from political and other aspects, it was very important for us because it helped our thesis of nationalism not related to religion. If the contrary thesis were proved in Kashmir, it would affect somewhat—I don't say it would break up India—but it would have a powerful effect on the communal elements in India, both Hindu and Muslim. That is of extreme importance to us—that we don't, by taking some wrong step in Kashmir, create these terribly disruptive tendencies within India.....

MB : In view of the tragic aftermath of partition, Mr. Prime Minister, in the form of communal riots, the Kashmir problem



and other unresolved issues between India and Pakistan, is it visionary, do you think, to expect a genuine rapprochement between the two countries in the foreseeable future?

JN : Before I answer that question I shall say something about a related matter. Many people think and say that the Kashmir problem is a major problem which comes in the way of good relations between India and Pakistan. That is true, in a sense, but not basically true. What I mean is this : the Kashmir problem is a result of other conflicts between India and Pakistan, and even if the Kashmir problem were solved, well, not in a very friendly way, those basic conflicts would continue. If it were solved in a really friendly way, then, of course, it would help. But it is a friendly approach to the problem that is important, not a forcible solution, which gives rise to other problems.

MB : Yes, I think most people would agree but what are these basic conflicts?

JN : I should say, basically, they are ideological. And we go back again to what I was just talking about, this business of the two-nation theory, what is nationalism and all that. Also, I am sorry to refer to it, there is an unfortunate tendency—not of Muslims as such—but of some people, saying : 'We were the rulers of India before the British came, why shouldn't we again be rulers over India? We shall capture Delhi, we shall do this!' Of course, it is rather fantastic and nonsensical but this kind of thing produces action and reaction. I would also say that so far as the people of Pakistan and the people of India are concerned, they are in a much better and more friendly frame of mind today than they were some years ago at partition time. Conditions have improved very greatly. There really is hardly any prejudice against each other qua individuals or qua groups. As a nation the political issue may come up or some other issue, or they may be excited about some religious story. But when Indians go to Pakistan in groups, they are welcomed and embraced. When the Pakistanis come here they are welcomed



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and embraced too. You see, we have the same language, so many things in common.

MB : What effect, if any, Sir, does the current political crisis in Pakistan have on the establishment of more friendly relations between the two countries?

JN : It is difficult to answer. When a country is afraid, it is afraid of taking any step forward.....

MB : Because it doesn't feel that its own foundations are secure?

JN : Yes, it is afraid and they have fed themselves on fear of India. This is totally unjustified because under no circumstances whatever, even from the view of the narrowest national interests, do we wish to interfere in Pakistan. We want them to be an independent country and a flourishing country. It is not good for us to have a country that is not flourishing because that leads to political crisis, conflicts and all kinds of things. And when Pakistan, either politically or economically, grows weak, the fear element increases and is played upon deliberately, so as to divert people's attention. And one is always afraid of adventurist action, that kind of thing. It stops a natural development—it has taken place in the past—of more friendly relations between India and Pakistan.

(National Herald, 2 August, 1956)



## CHAPTER 26

# WELL BEING OF THE PEOPLE— THE PRIMARY CONSIDERATION

I find that some of our people tend to get excited about the Kashmir issue. That does not help us in considering serious problems. Some Members of Parliament have suggested to me that a session of Parliament must immediately be convened to consider recent developments in the Kashmir problem. I do not see any need for doing so. Some have even suggested postponement of the elections and amendment of the Constitution to enable the present Parliament to carry on for a year or two more. I disagree. The elections will be held, whatever happens. We are a mature people, and can carry on with our Constitution and our democratic working and at the same time tackle serious problems. We are not going to run away from the elections because of happenings in other countries or because of dangers threatening us.

In fact, I think this situation makes it all the more necessary for us to have elections so that the country may give its verdict on this policy which we can pursue with single-minded vigour afterwards. We need not get excited or develop cold feet. We have no cold feet; we have stout arms and, I hope, stout hearts and calm heads. Nevertheless, it is true that some recent developments in this Kashmir problem have caused us concern. We are also distressed because this problem which has existed for nine years now has been dealt with very casually in the Security Council recently. It is a problem which has roused people emotionally in Pakistan, in India and, most of all, in Kashmir itself. But we cannot solve problems by sentiment.



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Where there is this strong emotional background, where there is a nine-year history involving all kinds of legal and practical problems and the immense consequences of any action that might be taken, then, it seems to me, wisdom requires something more than casual consideration and casual decision.

Our case was presented before the Security Council by my colleague Krishna Menon, and I want to tell you that he did this work brilliantly and most effectively, and the line he took there represented completely our views on the subject. I say this although it was not necessary for me to say so. A colleague and representative has naturally to say what we jointly feel. Nevertheless, I want to say it because there are some people in this country and some people in other countries whose job in life appears to be to try to run down Krishna Menon, because he is far cleverer than they are, because his record of service for Indian freedom is far longer than theirs, and because he has worn himself out in the service of India. It is not necessary for them or for me or for you to agree with Krishna Menon in everything, although he is my close colleague. I do not agree with T. T. Krishnamachari although he is a close colleague. We do not agree with each other in everything. But we do agree in our broad approach to problems, and we do believe in each other's bona fides and integrity. Otherwise we cannot co-operate. But this kind of repeated and persistent attempt to undermine our policy by throwing mud at a colleague of ours seems to me not very desirable or proper.

It is because of this, I want to tell you, that though Krishna Menon is a member of the Rajya Sabha, and it was not necessary for him to seek election, yet we have agreed to his seeking election from the City of Bombay, for Bombay is a cosmopolitan city and we want our foreign policy to be voted upon in Bombay. It is for the people to say whether they agree with our foreign policy or not. It is our challenge to those who disagree with our foreign policy. We do not run away from criticism.



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The Kashmir question is complicated. What are the basic issues involved? There are many, but in my view to basic issue about Kashmir is the good of the people of Kashmir. Nothing else counts. If it comes into conflict with other issues that count, then I, as the Prime Minister of India, necessarily have to take into consideration the interests of India. I have no business to relinquish or throw away the interests of India because of some sentiment. Nevertheless, I say that the major consideration for me and for my Government has been the good of the people of Kashmir. Some people, chiefly in foreign countries, and sometimes even in India, refer to moral standards and say : "Mr. Nehru who pretends to be a high moral figure, doling out moral advice to everybody in the world, forgets his own morality when he deals with Kashmir; he has a double standard." Well, it is very difficult for me to know my own failings, but I am not personally conscious of any double or separate standard. If I had deliberately judged Kashmir by any different standard, then indeed I would have stood condemned not only before other countries, but before my own people and above all before myself. I think that on moral issues India stands rather well over the Kashmir matter.

Look at the history of the case. Invasion through Pakistan and later by Pakistan; destruction, arson, loot, robbery, murder by people coming through and from Pakistan. This is the beginning of the story of the Kashmir issue, a story which goes back over nine years. It is also known that immediately after that, Kashmir acceded to India. According to us and many others it became our right and duty to protect Kashmir. Quite apart from it, if we had not done this at that time, Kashmir would have been a smoking ruin and there would have been large-scale war between India and Pakistan.

I know how troubled I was at that time. All our background had been one of non-violence and peace. Were we, immediately after independence, to be dragged into war? It was a terrible thing and yet there was Kashmir being looted, its



people being murdered, there was arson and frantic appeals came to us from the people of Kashmir, apart from the Ruler. It was a very difficult decision to take. Fortunately we had Gandhiji with us at that time. I am not using Gandhiji's name to entangle him in this matter. I do so merely to tell you that as usual I ran to him for some advice and light. I believe he also spoke publicly about this matter. He told us it was our duty to go to the help of the people of Kashmir. He, a man of peace, told us so. We went to Kashmir and we found that it was not attack by mere raiders only, but that the Pakistan Army had entered Kashmir. We found we had undertaken something big. The normal consequence of this would have been war with Pakistan. They had come in and had committed aggression. Whatever argument one may use about the State's accession to India or about India's right to have troops in Kashmir, there is absolutely no argument, even a flimsy one, to justify Pakistan's action in sending troops there. There is no doubt from any point of view that it was aggression by Pakistan and we were entitled in law and fact to attack Pakistan all over. We were must stronger than Pakistan militarily. But we did not attack them. It was to avoid war with Pakistan that we went to the Security Council. Even there we expressed ourselves moderately, in asking Pakistan not to encourage aggression over India. Never in these nine years have we had an answer to this question. The Security Council and their Commissions did say this and have said clearly that Pakistan had in a sense committed aggression. They admitted the right of India and the Government of Jammu and Kashmir to sovereignty over the territory of Kashmir, even over the territory which Pakistan is occupying. All these are on record. But they said that it was more important for us to come to an understanding than for them to condemn anybody. We agreed, but we said : "Pakistan has done us grievous wrong, but we do not want to condemn Pakistan because we want to live in peace with Pakistan; we want to be friends and we are neighbours." So time and again we have moderated our policy. We did not put forward the



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principal facts with all the vigour that we could have commanded. We talked about many other matters. Then we agreed to a plebiscite on certain conditions, in a certain context of events. The very first condition was the withdrawal of the Pakistan Army from the territory of Jammu and Kashmir State. There were many other conditions; but that was the first because the aggression had to be purged before we could take any other step. That was the principal proposal in the U.N. resolution which dealt ultimately with the plebiscite and many things else. First, there was to be a cease-fire, then a truce; then other measures and then plebiscite. But immediately after the cease-fire, as part of the truce, Pakistan's armies had to withdraw from the territory they had invaded. They have not done that to this day. I am told today that India comes in the way of a plebiscite, that we have not fulfilled or honoured our international commitments. If Pakistan says so, I can understand it, because Pakistan is in the habit of making entirely irresponsible and even untrue statements. But it surprises me and pains when others say so. What international commitments have we not honoured? If I am convinced that I have not honoured any international commitment, either I shall honour them or I shall resign my Prime Ministership of India and retire. Let others run India.

During all this period we have discussed these matters with Pakistan. Sometimes they have made suggestions, we have made offers and they have made counter-offers and this question of plebiscite has been discussed as also the question of conditions relating to it. All this has been in the nature of discussions as to how to solve the problem. Once or twice some steps were agreed to, but the steps were not implemented by Pakistan. In such circumstances any offer would be in the nature of a conditional offer. First of all, the offer was strictly conditional. Secondly, it could not last for ever and ever. Conditions change and in these nine years conditions have changed very greatly. For three years we waited and then we said: We are not like Pakistan to carry on without Constitu-



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tion or without elections." The Jammu and Kashmir people had a Constituent Assembly to frame a Constitution and held elections for that Assembly. After five or six years' deliberations, they have framed a Constitution for the State. The question of accession of Kashmir to India was really decided in 1947. So far as the Constitution is concerned, it has confirmed the accession. Even this confirmation was done a few months ago. Therefore nothing startling was going to happen on January 26 this year, and yet there was tremendous noise that something new was going to happen on that date and a resolution was hustled through the Security Council, even without an attempt to understand what exactly would happen on January 26. As you all know, the resolution which the Council passed had been drafted and was in existence even before they bothered to hear our representative. That is what I call a casual way of dealing with an important question.

After drafting the Constitution of Jammu and Kashmir, the Constituent Assembly has ceased to exist. Just as we are holding our national elections, they are going to hold elections in Jammu and Kashmir. You will see that we have thus made great advance, not in the old sense of plebiscite, but in getting people to elect their representatives. The new elections in the State will be held in a month or two, and I am confident they will be fair and impartial. The Prime Minister of the Jammu and Kashmir Government has invited foreign journalists and our own pressmen to see the elections for themselves. Last year 70,000 tourists visited Kashmir. There is no iron curtain or any other curtain there. You can also go there, any of you, and see for yourselves.

But what has happened on the other side? The area of Kashmir which is occupied by Pakistan has had no election. In fact, look at Pakistan itself. They have had no true election there for nine years, ever since they got Pakistan. They talk loudly about plebiscites elsewhere. But in their own country they have not been able to have true elections all these nine



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years. After very great effort they prepared a Constitution some months ago, but no elections have yet been held. Note that Azad Kashmir, that poor area, has had no chance of elections and it has been incorporated into Pakistan. That is another interesting thing for you to remember. There has been all this great fuss about the Jammu and Kashmir Government framing its Constitution, in which it reiterates a fact that has been there all along, namely, accession to India. But when the Pakistan Constitution incorporated that part of Jammu and Kashmir which is in their possession nobody shouted. The Security Council did nothing at the time. All I can say is, the Council has not applied its mind to this question. It is extraordinary for people to say that we have come in the way of plebiscite. No plebiscite could be held because none of the conditions was fulfilled. The plebiscite was to cover both sides. We got stuck even on the preliminary condition of withdrawal of forces. The Pakistan forces had to go root and branch before further steps could be taken.

Meanwhile a new development took place—the supply of arms to Pakistan in considerable quantities from the United States of America. The United States has every right to supply arms to Pakistan, and Pakistan, I suppose, has every right to take them. They are independent countries and I have no right to object. But that supply of arms made a great difference to the situation in Kashmir. We told this to the Pakistan Government and other Governments. But we were told—I can believe their word—that these arms were not to be used against India and that they were intended to be used against aggression. I accept that. But how can even the great U.S. Government check their use? Every day I read in Pakistan papers exhortations to the effect : “Let us have war now that we are strong.” They have heavy armour. They have plenty of the latest types of aeroplanes. And they live on a fare of hatred and violence. Naturally this causes us concern. I do not want you to reply in kind. I do not want our students to do what the students in Pakistan did or are doing. As a responsible Government, we



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have to take all these factors into consideration. They have built airfields in Gilgit, Muzaffarabad and other places, which is completely against the cease-fire arrangement or resolutions of the U.N. Council. Gilgit is in the heart of the Central Asian mountains. The mere fact that all these big airfields have been built, apart from anything else, is a serious matter. Nobody talks about these things because we have taken up as accommodating an attitude as possible. All our virtue in accommodation is forgotten. They try to bind us down to it. They tell us not to go into the past or into the question of aggression, but only to talk about the plebiscite to which they tell us we agreed. Even the conditions governing the plebiscite are forgotten. I say that this is most extraordinary. The welfare of vast numbers of human beings of Kashmir is involved and I do not want any final decision which is against the interests of Kashmir people. I do not want to ask for a decision on a legal issue. But when I am charged with dishonourable practices, when the charge is made by Pakistan and, to some extent, by other countries that I have abrogated my commitments, I have a right to state what the legal position is. I am not overstressing it, but merely stating it. I have a right to demand a decision on this basic issue of aggression, because it might recur at any time.

We have to look at the practical and factual aspect. Krishna Menon spoke for nine hours. But there was no reference in the subsequent speeches made by others to the points Krishna Menon had raised. The Council has merely passed a resolution as if nothing has been said on our behalf. This is strange. What should concern us and the Security Council and the world is that nothing should be done in Jammu and Kashmir State which, instead of solving the problem, creates greater problems. Nothing should be done which upsets things. Nothing should be done which might bring before us the horrors of August, September and October 1947. That is the governing consideration in our minds. Every step we have taken has been guided by that thought. Take even this question of plebiscite. From the first day we have been telling the U.N. Commission and Pakis-



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tan : "If the conditions we lay down are satisfied and if there is complete peace and order, we are prepared to have a plebiscite." I tell you in all honesty, that under fair and peaceful conditions, and conditions wherein religious fanaticism is not allowed play, I have no doubt that a great number of people of Kashmir in a plebiscite would vote for India. We have laid stress always that this election or plebiscite must be on political issues and on economic issues. We do not want communal riots in the State and call them a plebiscite. We do not want a raging campaign based on religious bigotry. We do not want passions to be roused. This question of Kashmir therefore becomes one of deep significance in that any wrong step taken will upset many things in the whole of India and in the whole of Pakistan. We have never accepted and we do not propose to accept the two-nation theory on which Pakistan was founded. Remember that when in the days before Partition, the Muslim League in India flaunted this theory, the Kashmir people rejected it, because Kashmir has been throughout history a place of very little communal tension. Hindus, Muslims and Buddhists have lived together in amity in Kashmir, whether the ruler has been Muslim or Hindu. Their religions might be different but their accomplishments and customs are similar. They live together and they meet together. Even when India was at the height of communal frenzy, in August 1947, Kashmir was calm. I do not want Kashmir, in the name of plebiscite, to be now made the scene of a fratricidal war. Such a war will spread to other parts of India and upset the delicate balances that have been established. It is a matter, therefore, of the utmost concern and consequence to us that no step is taken in Kashmir which will have these tremendous reactions, like refugees streaming into Pakistan and refugees streaming into India and so on. Such a solution would be no solution of the Indo-Pakistan problem, but a worsening of the situation. Judging simply from the point of view of consequences, we must realize that no responsible person or authority can think of a step which will create these



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grave upsets in the lives of India and Pakistan and which will probably ruin Kashmir.

Pakistan talks about a plebiscite. It would be becoming to have its own elections before talking about election in Kashmir. Pakistan has called in many countries in support. Many of them are its allies. We do not approve of military alliances like the Baghdad pact because they have caused a great deal of uncertainty. It is possible that these military alliances account for the strange resolutions that have been passed in regard to Kashmir. Some at least of the countries of the Baghdad Pact, indeed many, are supposed to belong to the Free World. I venture to ask, in all respect, whether they have elections. Do they have a free Press? Do they have the right of free assembly? It is the "free world" which calls for elections and plebiscite when these countries have themselves no election and have authoritarian systems of government. It is a strange world, my friends. It pains me that countries which are friends of ours—because we are friendly with all countries—should have considered this question in so casual a way. I hope that they will give more thought to it in the future. It pains me that all this hatred and passion are roused in Pakistan. It is not good for us, of course; but it is much worse for Pakistan. All our minds are concentrated on building up our country and implementing our Second Five Year Plan. We do not want it diverted to other matters. If I can help it, I would not take part in any international dispute or issue; but I cannot help it when issues concerning us come up. Unfortunately Pakistan's mind is tied up in this way with violence and hatred against India. I hope the people of Pakistan will get over it. At any rate we are not going to reply in kind. We will continue to be friendly with them. Only the other day, while all this was happening, we signed a trade pact in which we went as far as we could to oblige Pakistan. We shall continue this policy because we consider it basically the right policy.



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I told you at the beginning that we need not develop cold feet about these matters. Getting excited help us at no time, much less in a serious situation, when we have to keep our minds right. The best way for us is to work and strengthen the country through the Five-Year Plans. That is what you should remember at the forthcoming elections. Answer the challenge in the way that I have suggested to you. That is the proper way.

(Speech at Madras, 31 January, 1957)



## CHAPTER 27

# FOREIGN INTERFERENCE

References have been made to the question of atomic weapons in Pakistan both by my colleague, Shri Krishna Menon, in the Security Council, and by me here on previous occasions. But our references were based not on any secret information—we leave that out—but on certain official statements or speeches by the Pakistan Commander-in-Chief. We did not say that they had atomic weapons, but we only said what the Pakistan Commander-in-Chief himself had said, that in their military exercises last December, the use of tactical atomic weapons was envisaged and exercises were carried out from that point of view. That is a preparatory state for the use of atomic weapons. I repeat that I did not say that Pakistan had atomic weapons, and the United States Government has since denied having given any atomic weapons to Pakistan, or, indeed, to any other country. Naturally, we accept that denial, but the fact remains that these preparations and exercises and the possible use of them are matters of some concern to us, more especially when all this is tied up with the large-scale military aid which comes from the United States to Pakistan, and which has made a great deal of difference to the problems between India and Pakistan. It is my conviction that it would have been far easier for Pakistan and India to solve their problems, difficult as they were, after Partition, if other outside countries had not interfered, whether in the matter of Kashmir or in any other problem. I am not for the moment criticizing outside countries because often they have acted with goodwill in this matter. But goodwill or not, the fact is that this interference has come in the way of these two neighbouring countries solving their problems.



Then there were some questions, I think, enquiring if Pakistan had annexed the area of Kashmir in Jammu and Kashmir State occupied by them. The answer is yes. Even in their Constitution they have stated that all the administered areas are part of Pakistan, and undoubtedly this is one of their administered areas. So that, for a long time past practically, and later even constitutionally, they have treated this as an area which is part of Pakistan. It has been surprising that little reference has been made abroad to this annexation of nearly half of Jammu and Kashmir State, while a great deal of discussion has taken place about what is called the 'annexation' of Kashmir State by India. There has been no annexation by us. The word is completely wrong and inappropriate. There was accession, as the House knows, in October 1947; the circumstances leading to it may have been different, but it was an accession in exactly the same way as was applied to the hundreds of other States in India. It was the same legal constitutional way. Nothing has happened since then to lessen that factor, and nothing was necessary to add to it.

There were also questions about Gilgit and a story that was published in the press, emanating from Brigadier Ghansara Singh. We, of course, had known this story for a long time. Brigadier Ghansara Singh was sent by the Maharaja of Kashmir, the Ruler then, under an agreement with the British just prior to Partition. They had handed over Gilgit to the Jammu and Kashmir Government, and this Brigadier was sent there to take charge. Some very extraordinary things happened when he went there. Soon after his arrival, after two or three days, he was arrested by the Gilgit Scouts who were under the command of British officers. The British officers of Gilgit had acceded to Pakistan! The story was a very odd and curious one. Brigadier Ghansara Singh was kept in prison there for a considerable time. We had met him when he came out and he had given us this story then. It is now given to the public.



I should like to make another thing clear. We have been asked as to the Government of India's position in regard to the Pakistan-occupied territory of Kashmir, and what we propose to do about it. It is clear that in every sense, legally and constitutionally, by virtue of the accession of the Jammu and Kashmir State to India, the whole State has acceded, not a bit of it only; and therefore, according to that accession, the whole State should form part of the Union of India. That is the legal position.

We may have, in the course of these nine years, in our extreme desire to come to some peaceful arrangement, discussed various suggestions and proposals. But those discussions did not lead to any result. There they ended, although, sometimes, something that we said in the course of discussions, some idea or proposal or thought that was thrown out, is held up to us as a kind of commitment.

We have stated in the Security Council and outside too that we for our part are not going to take any steps involving the armed forces to settle the Kashmir problem. If we are attacked, we shall, of course, defend ourselves. Indeed we have made it clear that if we are attacked in Kashmir, we will consider it an attack on India. But we have also made it clear that while we consider the Pakistan-occupied part of Kashmir legally and constitutionally a part of the Indian Union territory, we are not going to take any military steps to recover it or recapture it. We have given that assurance and we shall abide by it.

There were also questions about some messages that had come to me from the Prime Minister of Ceylon and China in regard to the Kashmir issue. As for the messages, the House will remember that the Prime Minister of China went to Ceylon and the two Prime Minister issued a joint statement. In the course of that statement, they have made a friendly reference to the Kashmir issue and hoped that this would be settled by mutual discussions or contacts between the two countries con-



cerned, without interference from other countries. That was a friendly wish from two friendly countries. And so far as I know, there is nothing more that has followed from it or was intended to follow.

(Form a Speech in The Lok Sabha, 25 March, 1957)



## CHAPTER 28

# THE QUESTION OF KASHMIR

**Q:** You said that Kashmir is part of India. When did it become part of India?

**JN :** A few hundred years ago, and Kashmir has always been in history for thousands of years, not always a political part but essentially a part of India and for hundreds of years a political part of India long before the British came. It has been essentially and culturally one of the biggest seats of Indian culture and learning. So the finest books about Indian history have been written in Kashmir. Then come the partition of India and certain rules were laid down about it. According to the rules, Kashmir acceded to India and became part of the Indian Union as an autonomous state of the Indian Union. That is why I say that Kashmir is as much a part of India as Calcutta or Bombay or Madras. At that time, Kashmir was invaded through Pakistan and later by Pakistan.

I don't think it is possible for anyone, even a Pakistani, to say that that was not aggression. There have been a number of cases of aggression in the world in the last to years or so. There has been no case of clearer and more flagrant aggression than that of Pakistan over Kashmir territory which was Indian Union territory. Now, whatever legal or other arguments one may have about Kashmir in the Indian Union, there is not a shadow of doubt over the argument in favour of the presence of Pakistani troops in Kashmir and that aggression is continuing today. Over one-third of the territory of Jammu and Kashmir State is in the occupation of the Pakistan Army. My friend reminds me that one-third in population and nearly onehalf in



area, is in the possession of Pakistan. It is a continual aggression, and there is absolutely no kind of justification. One justification Pakistan has put forth is that the majority of people in Kashmir are Muslims. Now, that is a very odd argument. Once we admit that states are formed on the basis of religion, we go back to the middle ages in Europe or elsewhere. It is an impossible argument. If we admit it, then, within India, as it is today after partition, there are 40 million Muslims. Are they Pakistani citizens and to they owe allegiance to Pakistan? Every village in India has Muslims. There are Christians. Is there Christian nationality or Muslim nationality or Buddhist nationality, a Hindu nationality ? It is an impossible proposition so that the present position is that Kashmir is, undoubtedly that is, legally speaking, historically speaking, constitutionally speaking, a part of India, a part of the Union of India.

The Jammu and Kashmir State has been invaded, aggression committed against it by Pakistani forces who are still continuing that aggression by occupying it. It is only a country like India, peacefully inclined, that would have stopped its military operations against the aggressor and decided to deal with it peacefully and I would be very much surprised if any other country would have done that. In keeping with our tradition of peace and what Mr. Gandhi taught us we were anxious to stop it. We stopped at cease-fire even though the aggression is continuing and we said that we would decide it by peaceful methods and that is our present policy. We wanted to decide every question by peaceful methods but that does not mean and will not mean our submission to aggression, and I regret that this fact has not been adequately appreciated by some of the great powers, who talk about aggression in other places. But the Kashmir where there is an act of international gangsterism they support it; I am astonished. I wish to make it perfectly clear that whatever happens we shall never submit to this aggression and it does not matter what powers in the wide world support it, we will not accept it. I think it is a shameful thing that this fact is slurred over. The matter is coming up



before the Security Council in a day or two and I want, therefore, to make it perfectly clear that this fact is slurred over and privately we are told one thing and publicly another attitude is adopted by some of the great powers. I have seldom come across such double standards as in this matter of Kashmir. Here is the barest and the most blatant piece of aggression and continuing aggression and we are told: Oh, forget the past, forget the past, whatever it was. Well, well, if we are prepared to forget the past, the history of the world today will be very different from what it was.

Q: What is India's position in regard to the Pakistani offer to withdraw its troops Kashmir if there is a United Nations supervised plebiscite in both parts of the country?

JN: It is very kind of Pakistan to make offers. The only thing I want from Pakistan is to get our of Kashmir. I want no offers from them. They have been committing aggression on my territory, on India. What business have they to tell us that you do this or that? We will admit no foreign troops in any spot of India, one inch of India, it does not matter whatever happens to India and whether you call them United Nations troops or any other troops. I have just explained to you that we have had enough experience of foreign troops in India and come what will, we will not admit foreign troops. Just because Pakistan commits aggression, has to got the right to invite other troops to aid its aggression or to shelter its aggression? We admit no foreign troops, whether in Pakistani part or any other part. We will not be willing to do that. As for the national plebiscite it is up to us to decide what is going to happen in Kashmir. We will have two elections in Kashmir—two general elections in our part of Kashmir. Pakistan talks about the plebiscite in Kashmir and for the last 10 years it has not had any election in Pakistan itself. I think it is monstrous the way this question has been dealt with by some people without understanding.

(The Journal of the Indo-Japanese Association, July-Nov. 1957)



## CHAPTER 29

# NEHRU ANSWERS CRITICS ON KASHMIR

### PLEBISCITE OFFER CANNOT LAST FOR EVER

**P**Prime Minister Nehru reiterated India's stand on Kashmir by saying that India's offer for a plebiscite in Kashmir was "strictly conditioned," and as the very first condition had not been fulfilled by Pakistan, the offer could not last "for ever and ever."

Addressing a mass meeting in Madras on 31st January, M. Nehru said that if he was convinced that he had not honoured any international commitments in regard to Kashmir "I will either honour them or resign the Prime Ministership."

The Prime Minister added: "There has been a great fuss made about Jammu and Kashmir State framing its constitution and its accession to India. So far as I remember the Pakistan Constitution has incorporated that part of Jammu and Kashmir in their State. Nobody shouted about it. The Security Council did not move. When this fact was mentioned in the Security Council it did not apparently create any impression. It is an extraordinary thing that they did not apply their mind to it."

### "WE HAVE NO COLD FEET"

Mr. Nehru began his reference to the Kashmir question which, he said, must be in the minds of many: "I find that some of our people tend to get rather excited about it. Well, excitement is not good in considering serious problems. There



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is no need to get excited although we realize this as a serious problem. Some people, including M.P.s, have suggested immediate summoning of the Parliament I do not see any need for this. Some have even suggested to postpone the elections because of this or to amend the Constitution. I entirely disagree with this."

Mr. Nehru said: "These elections are going to take place whatever happens. We are a mature enough people to carry on our own Constitution and our democratic working and face serious problems at the same time. We are not going to run away from elections if something happens at some other place."

"But," he added, "because danger threatens us and because of the Constitution, I think it has become all the more necessary to have the elections so that the country may give its verdict on the policy which we may pursue. We have no cold feet. We are stout and would remain calm with stout hearts."

"Nevertheless, it is true that some recent developments in Kashmir problem have caused us concern and as I said, of course, distress also—distress, because it seems to us that this serious problem, which has existed for nine years now, was dealt with very casually in the Security Council."

"There is a great deal of sentiment behind it. But, of course, we cannot solve the problem on sentiment. Where there is this strong emotional background today, where there is nine years' history involving all sorts of problems—legal problems, practical problems and problems of consequence of any action—then it seems to me that wisdom required something more than casual consideration and casual decision."

#### **GOOD OF KASHMIRI PEOPLE—BASIC CONSIDERATION**

Mr. Nehru said it was to proper for him to speak about the Kashmir question when the Security Council was considering



it. Nevertheless, he wished to say something. "What is the basic thing about Kashmir?" he asked and said: "The basic thing is the good of the people of Kashmir and nothing else counts. If it comes into conflict, of course, other things count. I am the Prime Minister of India and I have to take into consideration the interests of India. I have no business to relinquish or throw away the interests of India because of some sentiment. Nevertheless the major consideration for me and for my Government has been the good of the people of Kashmir."

### NO VIOLATION OF INTERNATIONAL COMMITMENTS

The Prime Minister referred to some people, chiefly in foreign countries and sometimes even in India, talking about moral standards and saying "Nehru who pretended to be a high moral figure doling out moral advice to everybody in the world forgets his own morality when he deals with Kashmir and that he has double standards." Mr. Nehru said, "but I am not personally conscious of any double or separate standards. If I judge deliberately the Kashmir issue by any different standards then indeed I would stand condemned not only before other countries but before my own people and even more so before myself and my mind and heart."

"I think if moral issues come in, India stands rather well over this Kashmir matter," he declared and added, "look at its history—invasion through Pakistan and later by Pakistan, destruction, arson, loot, rapine and murder by people coming from or through Pakistan. This is not the beginning of the story of Kashmir, a story which goes back over nine years. It is also known that after that Kashmir had acceded to India."

"According to our thinking, according to the thinking of many," said Mr. Nehru, "it became our vital duty to protect Kashmir. Quite apart from that, had we not done it at that time, Kashmir would have been a smoking ruin and there would have been a large scale war between India and Pakistan. I



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know how troubled I was at that time. All our background had been based on non-violence and peace and if immediately after independence India went to war with Pakistan it would have been a terrible thing. Well, there was Kashmir being looted, people being murdered.... It was a very difficult decision to make. Fortunately at that time we had Gandhiji with us. I am not entangling Gandhiji in this matter. I ran to him for some light or some advice. I believe he spoke publicly about this matter. He told us it was our duty to help the Kashmiri people. He, a man of peace, told us to do this. We then went and found it was not raiders only but that the Pakistan army had entered Kashmir and it became a big job."

## AGGRESSION BY PAKISTAN

Normally the consequence of this, said Mr. Nehru, would have been war with Pakistan when they committed aggression. "Now whatever argument you may use or point out about accession to India, and India's right to have troops in Kashmir, there is absolutely no argument, not even a flimsy one, to justify Pakistan sending troops there.

"There is no doubt from any point of view it was aggression by Pakistan. At that time, we could have attacked Pakistan and we were much stronger than Pakistan militarily. But we did not. In order to avoid war with Pakistan we went to the Security Council asking it to tell Pakistan not to encourage aggression over India. We have never, in these nine years, had an answer to this question.

"The Security Council sent its commissions and once or twice said Pakistan had in a sense committed aggression. They admitted it was the right of India to include the whole territory, including the territory which Pakistan had got."

"Why did India go to the Security Council?" asked the Prime Minister, and added: "Not to condemn anybody but to



say Pakistan had done us grievous wrong. We did not want to condemn Pakistan because we wanted to live with Pakistan as friends. We are neighbours and so time and again we moderated our policy. We did not put forward with all vigour what we could have done on the principal facts, original facts of this dispute and we talked about many other matters and we agreed to a plebiscite."

### PLEBISCITE STRICTLY CONDITIONAL

Mr. Nehru said India agreed to a plebiscite on certain conditions in a certain context of events and the very first condition was the withdrawal of Pakistan forces from the territory of Jammu and Kashmir State. There were many other conditions. That was because aggression had to be purged "before we could take any other step." That was the principle then stated in U.N. resolutions. First, there was to be a cease-fire, then the truce, then other things and a plebiscite. Immediately after the cease-fire, as part of truce Pakistan forces had to withdraw from the territory they had invaded. They had not done so even today.

"I am told," remarked Mr. Nehru, "that India comes in the way of a plebiscite, that we do not fulfil or honour international commitments. If Pakistan said so I could understand it because Pakistan is in the habit of making entirely irresponsible and often untrue statements. But when others say so it surprises and pains me. What international commitments we have not honoured I do not know. If I am convinced that I have not honoured any international commitment, I will honour it or resign from the Prime Ministership."

Mr. Nehru said during this period of eight years India had discussed this matter with Pakistan had made suggestions and had made offers too. The question of a plebiscite had been discussed. "All these had been in the nature of discussions as to how to solve the problem. Once or twice some steps were



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agreed to. Any such offer, a conditional offer first of all could not last for ever and ever. In these nine years, conditions had changed tremendously, particularly in the last three years. Pakistan had been carrying on without a constitution or elections. Jammu and Kashmir had, on the other hand, a Constituent Assembly to frame its Constitution and they had elections for that."

### SECURITY COUNCIL'S CASUAL TREATMENT

The Prime Minister added: The question of accession of Kashmir to India was really decided in 1947. So far as the Constituent Assembly of Jammu and Kashmir was concerned, it declared it again and confirmed it. Nothing was going to happen on 26th January but there was a tremendous noise in the Security Council. This resolution was pushed through and hustled through without their trying to understand what the position was. The resolution which the Security Council passed was drafted and was in existence even before they heard the Indian representative. That was a casual way of dealing with such an important question about which he had mentioned earlier.

Mr. Nehru continued that the work of the Constituent Assembly was over and the State proposed to hold a fair and free election within two or three months. The Prime Minister of Jammu and Kashmir had invited foreign correspondents and journalists to come and see the elections. There was no 'iron curtain' or any other curtain. Anyone could go to Kashmir and see things for himself. over 70,000 tourists had been there last years.

"We have done all this here," said Mr. Nehru. "But what has happened on the other side? The area of Kashmir occupied by Pakistan had no elections.



"In Pakistan itself, for nine years ever since it was formed, there was no true election. Think of that, these people talk of plebiscite when in their own great country they have had no real, true elections in all these nine years. So far as 'Azad Kashmir' is concerned, it has, of course, no chance of having elections as it has been incorporated into Pakistan."

### PAKISTAN'S VIOLATION OF CEASE-FIRE AGREEMENT

While India and Pakistan got stuck in the preliminary question of the withdrawal of forces, said Mr. Nehru something else had happened, namely, the supply of arms to Pakistan in considerable quantities by U.S.A. The U.S.A. had every right to supply arms and Pakistan had every right to take them as an independent country. The supply of arms had, however, made a great difference to the military situation in regard to India and a great difference to the situation in Kashmir. "We told so to the Pakistan Government. We also told the there Governments. We were told by the U.S. Government that these arms are not to be used against India. I accept that. How the great American Government could do it, I wonder. Every day I read in Pakistan newspapers about jehad (holy war) and statements to the effect 'let us have war with India now. We are strong, we have built or strength, we have heavy armoury and we have got plenty of the latest types of planes.'

"These people live on hatred and violence. Naturally, this causes us concern. I do not want our people to reply in the same kind. I do not want our students should do what their student are doing.

"As a responsible Government we have to take all these factors into consideration. They have built up great airfields in Gilgit and Muzaffarbad. These are completely against the Cease- fire Agreement. It is a serious matter for us. Nobody talked about these things. We took as accommodating an attitude as possible. Now all our virtues in accommodation are



forgotten and we are bound down. It was an extraordinary state of affairs when India was asked not to go into the past or into the question of Pakistan aggression and when even conditions governing the plebiscite were forgotten.

### A HUMAN PROBLEM

"This is a matter of the human beings of Kashmir. I do not want any final decision which is against the interests of the Kashmir people. I do not want to ask for a decision on the legal issue. But when I am charged with dishonourable practices and when I am charged by Pakistan and to some extent, by other countries with breaking my commitments I have the right to state what the legal position is, not to overstress it, but to demand a decision of these people who question my bona fides on the basic issue of aggression because it might occur once again."

There was another aspect, he said. What concerned all was that nothing should be done in Jammu and Kashmir State which instead of solving the problem created more problems. Nothing should be done which upset everything. Nothing should be done which would bring before the country horrors of August, September and October, 1947 again. That had been the governing consideration in India's mind and whatever steps India had taken she had taken note of that.

### RIOTS, NOT PLEBISCITE

Referring to the question of plebiscite Mr. Nehru said : "From the first day we said to the U.N. Commission and Pakistan that if the conditions we lay down are satisfied and there is complete peace and order we are prepared to hold a plebiscite.

"I have no doubt in my mind that under clear conditions, under peaceful conditions, in conditions where religious fanaticism is not allowed to play, a great number of people of Kashmir in a plebiscite would decide for India. Apart from that,



we will stress always that elections or plebiscite must be on such political issues or economic issues.

"We do not want communal riots there and call it a plebiscite and a tearing campaign based on religious bigotry rousing people's passions.

"This question of Kashmir has become one of deep significance because if a wrong step is taken it would upset many things in the whole of India and Pakistan.

### TWO-NATION THEORY UNACCEPTABLE

"We have never accepted and we do not propose to accept the two-nation theory on which Pakistan was founded. It should also be remembered that in the days when the Muslim League was founded in India before partition the Kashmir people refused to accept it and rejected it because Kashmir, through its history, had not been a place of communal tension. Hindus, Muslims and Buddhists of Kashmir have lived together in amity. For Muslims or Hindus their customs are similar though their religion may be different. At a time when communal frenzy was at its highest in India in August, 1947 Kashmir was calm."

Mr. Nehru observed: "I do not want Kashmir in the name of a plebiscite to be made a scene of fratricidal war. This will spread to India and upset the delicate balance that has been established here. It is a matter of serious concern and significance to us that no step is taken in Kashmir which has these tremendous reactions, whatever might happen. Refugees streaming into Pakistan or refugees streaming into India and all kinds of evils happening with no solution but worsening of the problem. Ultimately, war to prevent these things might happen. Judging it from this point of view, no responsible person of authority can think of steps that will create grave upset to the life of the people of Kashmir, to people of Pakistan and of India with no



solution of the Kashmir problem. It would be becoming of Pakistan to have elections in Pakistan before they talk about plebiscite."

### MILITARY PACTS RESPONSIBLE FOR SECURITY COUNCIL RESOLUTION

Speaking about military pacts, Mr. Nehru said India did not approve of such pacts. It was quite possible that all these military alliances were responsible for the strange resolution that was adopted in regard to Kashmir.

Some of the countries in the Baghdad Pact were supposed to belong to the "free world." How much freedom they had and how much free their Press was everyone knew. This was the "free world" which called upon India to have a plebiscite and free elections. In some countries there was no freedom and the Government did not represent public opinion there. What pained him most was that countries which were friends of India should have considered this difficult question in this casual way. He hoped they would give more thought to it in future.

What pained him was that in Pakistan hatred and passion were aroused. It was bad for Pakistan also. The Prime Minister continued : "All our our minds are concentrated largely on the building of our country and on Five-Year Plans. We do not want to divert our attention to any other matter. If I could help it I would not take part in international matters but I cannot help it when issues concerning us come up. Unfortunately, Pakistan's minds is sought to be tied up in the way of violence and hatred of India. I hope they will get over it. We are not going to reply to them in the same kind. We will continue to be friendly with them. The other day their representatives and ours signed a trade pact. We went as far as we could to oblige Pakistan. We will continue the policy of friendliness towards



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Pakistan because we consider this as basically the right policy to follow."

(Mr. Nehru Answers Critics on Kashmir)

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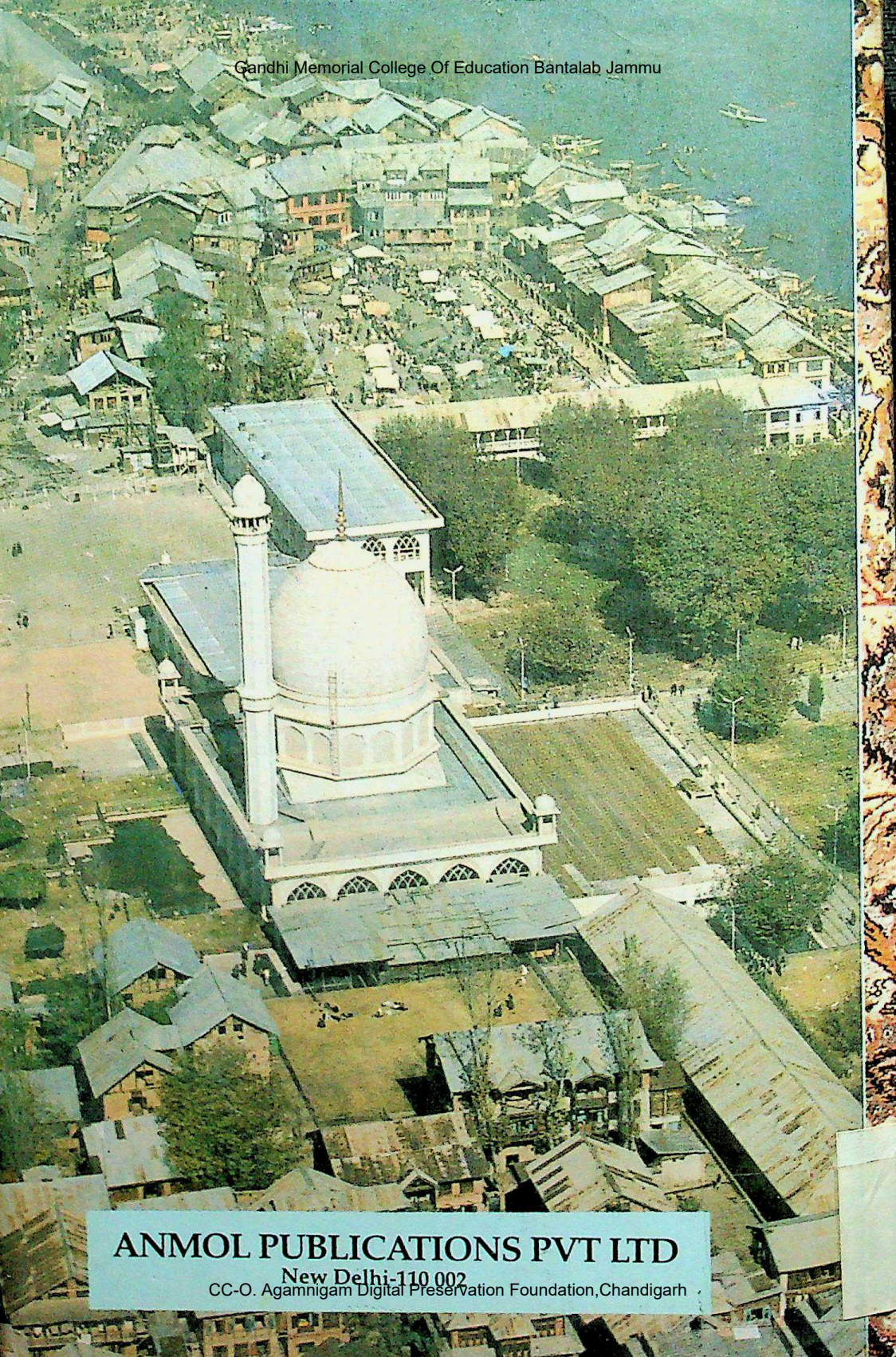


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